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THE ANNALS OF IOWA.

A HISTORICAL QUARTERLY.

VOLUME EIGHT—THIRD SERIES.

EDITED BY

CHARLES ALDRICH, A. M.

Curator and Secretary of the Historical Department of Iowa; Corresponding
Member of the State Historical Society of Wisconsin; Corresponding
Member of the Minnesota Historical Society; Corresponding
Member of the Washington State Historical Society; and
One of the Founders of the American
Ornithologists' Union.

PUBLISHED BY THE
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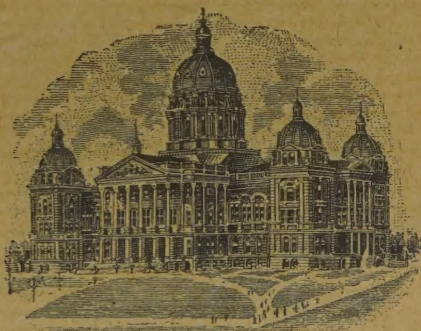
THIRD SERIES.

VOL. VIII. NO. 1.

APRIL, 1907.

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CHARLES ALDRICH, Curator.

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ANNALS OF IOWA.

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Eng by Henry Taylor Jr Chicago

of A. Bronson

ANNALS OF IOWA.

VOL. VIII, No. 1. DES MOINES, IOWA, APRIL, 1907.

3D SERIES.

MEMORIES OF A SWEDISH IMMIGRANT OF 1852.

BY HON. C. J. A. ERICSON.*

My father's name was Erik Nilson, born August 2d, 1804. My mother was Catherine Clemetson Nilson, born October 9th, 1803. There were three boys born to them, namely: Nils P. Peterson (surname adopted, he, having learned the paper manufacturer's trade, was by custom entitled to take his patron's name) who was born in 1825; Gustaf Adolf Ericson, born in 1829, and the writer, Charles John Alfred Ericson, born March 8th, 1840.

We take our surname from our father's Christian name, as is the custom in Sweden. My father was a farmer and freeholder in the Province of Calmar and Sodra vi Parish in southern Sweden.

In 1845 the first immigrants left that part of the country for America. An uncle of mine, S. P. Svenson, came from Horn Parish to New Sweden, Jefferson county, Iowa, in the

*It is seldom, indeed, that an immigrant from a foreign land—unable to speak a word of our language—rises from the laboring class to such an enviable position in his new home as that so fittingly occupied by Senator Ericson. His life has been one of business success and filled with useful public labors. He has given timely aid to poor and struggling young people, especially in their efforts to secure thorough education. He has for many years been a strong supporter of the Augustana Lutheran College at Rock Island, Ill. He is a member of the committee which has labored with much success in securing a permanent endowment for the institution. It has been largely due to his efforts that valuable real estate has been acquired for the benefit of the College. In this work he has been a liberal giver. He erected entirely at his own cost the beautiful and commodious public library building in the city of Boone. He served one term (1872, including the extra session in 1873), in the Iowa House of Representatives, and is now serving his ninth year in the State Senate. Schools, public libraries and the Historical Department have always found an intelligent, progressive and influential friend in Senator Ericson. His life is a record of sterling honesty which is absolutely unimpeachable.—EDITOR OF THE ANNALS.

year 1849; and the following year another uncle, O. Clemetson, came to Andover, Henry county, Ill. They wrote letters home in the most glowing terms describing the country and the opportunities for poor men in this New World, as it was called.

These letters contained such sentences as the following: "The farmers here do not know how many chickens or how many hogs they own, as these run at large. We are allowed to go and gather all the eggs we want; likewise they let us milk their cows and keep all the milk we want. As soon as we can buy a cow it can run at large in grass two feet high! We can mow all the hay we want—all free! All our bread is white, being made from bolted wheat flour. We get two kroner (fifty-four cents) for a day's work, and in harvest time four kroner and all you want to eat! This is surely the Promised Land!"

In 1849 my brother G. A., and in 1850 brother N. P., emigrated to America and settled near Moline, Ill. The letters we received from them were full of hope and great expectations for the future, and people came from far and near to read these letters. Copies were made and read to crowds of people upon public occasions in the surrounding country. All the information about America, then, was gained from letters received from those who had emigrated.

In the spring of 1852 father made up his mind to migrate to America. He sold his farm and began preparations for the long journey. Large iron-bound chests were made, clothing and shoes had to be made. Mother baked a quantity of bread from rye flour, unbolted. The loaves as big as a dinner-plate with a hole in the center so they could be strung on a pole and hung up to dry. Being only a quarter of an inch thick, they became very hard and would keep for months.

On the 4th day of April, 1852, we bid farewell to our relatives and friends and loaded our belongings in two wagons drawn by single horses. On the second day we arrived at a station called Berg, on the Gotha canal, where we boarded a small steamer and in a few days arrived at the seaport of Gothenburg.

Here we found out there was no vessel in port bound for America, and no one could tell when there would be one. In about six weeks the three-masted sailing ship "Virginia," Captain Janson commanding, arrived and would shortly sail for New York.

A bargain was made for passage at \$20.00 per head, we to board ourselves. We were required to take on board the ship a prescribed amount of provisions for each person, which was inspected. If, therefore, the passage should be prolonged until our provisions were consumed, it devolved upon the captain to supply the deficiency. We sailed June 6th, there being one hundred and fifty immigrants.

The fresh water was carried in huge wooden casks and every morning the drinking water (one quart to each person) was measured out. The process of distilling salt water was not then known. The potatoes had to be boiled in salt water. As there was only one ordinary-sized range to cook on, you can better imagine than I describe the situation when forty women all wanted to cook at the same time!

Temporary two-storied bunks were constructed along the sides of the ship. These were curtained off as best they could be, as otherwise it would have been but a single room for all the immigrants. The health on board was fairly good, although one adult and one infant died during the passage. They were buried at sea and received Christian rites, the captain officiating.

We did not encounter any severe storms, but these small wooden sailing vessels rocked a great deal more than the modern steel greyhounds. Bear in mind that at the time no regular lines of ocean steamships were in existence. We saw but few ships during the passage; nor did we see land until we came in sight of New York harbor on July 19th, having made the trip in forty-five days, which was considered fast time. A two-masted schooner, the "Minona," was out eighty-four days the same year, with immigrants on board from that port. In our case you may be sure the sight of land was hailed with delight.

Landing at a pier on East river at noon, two hours later a dozen men and women, including father and myself, started

for the city to "see the sights!" The first thing which attracted our attention was a fruit stand on which was a pile of big red tomatoes. They looked tempting and some were purchased, but proved a disappointment to our taste.

We proceeded up the city wondering at the big buildings, until all at once we were attracted by music from a brass band heading a regiment of cavalry. The bright uniforms of the officers and men proved too attractive and we followed through many streets. We kept in mind that we must find our way back to our ship and we noted a bronze lion in front of a corner store; perhaps at the next corner was a gilded clock hung out for a sign; next we turn to the right and then to the left, all to be remembered on our return. But upon endeavoring to retrace our steps, we found too many "lions and gilded clocks," and soon became bewildered and lost in a great city.

No one of the party could speak a word of English. We knew but one name or place and that was the "Bethel Ship," an old dismantled vessel fitted up as a Mission chapel for seamen and immigrants by a Swedish Methodist minister named Olof G. Hedstrom, but we could not make ourselves understood. When we found we were lost we became excited and left the sidewalk, taking the middle of the street. We had crossed the city to North or Hudson river, where there were also ships and piers. We traveled up and down this street many times looking for our ship, not knowing it was on the other side of the city. A kindly looking gentleman who had noticed us all in a flock racing up and down the same street, came and motioned for us to follow him. We did so, he bringing us on the sidewalk the first thing. He then took us into a grocery store where they gave us crackers and cheese and water to drink. The women were crying, saying, "We will no doubt be taken and made slaves of and will never see our people again!" This kind gentleman took us to half a dozen places before he found a man who could speak our language and as soon as he had done so took us to our ship in fifteen minutes.

It was now ten o'clock at night, we having walked constantly for eight hours dressed in heavy linsey-woolsey on a

hot July day. Imagine our welcome on board ship again! But we had certainly had an experience which we never could forget.

On the following morning we boarded a Hudson river steamer for Albany, where we landed at midnight. Our train was waiting to take us via the Erie railway to Buffalo; but, for fear some of us would get lost in the dark, two ropes were stretched from the steamer to the cars and we marched to the train thus guided. The cars were ordinary freight cars, having temporary benches made of lumber with no back-rest. Our conductor knew but a single word in Swedish which was "bilget" (ticket).

On arrival at Buffalo, all tired out, we were herded on board a lake steamer and taken to Dunkirk. Here we were again put into freight cars, with benches as before, and started by rail for Chicago. We suffered greatly on this journey for want of rest and sleep, which could not be had in these cars. Besides they were poorly ventilated and we were only supplied with drinking water at long intervals.

On reaching Chicago we found that cholera had broken out there and many people were dying; hence we must move on. There being no railroads west of Chicago, we boarded a canal-boat drawn by horses which conveyed us to Peru, La Salle county, Illinois. Here we hired teams to take us to Andover, Henry county, Illinois, twenty miles from Rock Island. There we found the first Swedish settlement. The pioneer Lutheran minister, Rev. L. P. Espbjorn, had come over in 1849 and located there. Workmen were erecting a brick church and we were allowed to sleep on the floor of the basement one night, spreading quilts over the shavings for a mattress.

Here I met my uncle, O. Clemetson, heretofore mentioned, who emigrated in 1849. We also met an old acquaintance, Mr. Stenholm, who came over in 1850. He had taken the precaution to bring a light wagon with him from Sweden and now offered to convey us in this same wagon to Moline. We accepted his kind offer and loaded our belongings on it, but had great difficulty in keeping it right side up, because it was not nearly as wide tracked as the American wagons; and

where the road was sideling it required one man on each side to keep it from tipping over.

We arrived at our destination near Moline, Illinois, on August 1st, 1852, at the home of my two older brothers, where we received a hearty welcome. We had been on the journey nearly four months. Twelve days of the time from New York to the Mississippi river, which is now accomplished in twenty-four hours:

I remained with my brothers the next few years, working on their farm for my board and clothes. I remember the first thing my brother told me to do. It was to go to our neighbor, Mr. Smith, and request the loan of his spade. I protested that I could not make him understand, not knowing a word of English. Brother said, "You repeat after me, 'Mr. Erieson sent me here to get your spade.' " I kept repeating this all the time while walking a mile and did not stub my toe on the way. I got the spade and returned highly elated over my success.

I was next taught how to drive three yoke of oxen to a breaking-plow, hauling logs to the sawmill and cord-wood to town. I ran a ferry-boat two seasons across Rock river, worked for an American on his farm, as soon as I could do a man's full day's work, for six dollars per month. Later learned to run a stationary engine in a sawmill and a flouring-mill. Then I clerked in a store in Altona, Ill., where I first got my business experience.

In 1858 my brother, G. A. Erieson, moved to the south part of Webster county, Iowa, and advised me to come the following year. I left Altona, Ill., in the spring of 1859 and came by way of Burlington to Agency City, the terminus of the B. & M. Ry. There I boarded a small steamboat, the "John Rogers," to Des Moines. My wife accompanied me and we had a few articles of furniture, a barrel of flour and a Prince & Co. melodion (organ), the first so far as I know that was brought to Boone county. I also had some remnants of dry-goods and notions to the value of \$400.00 and less than \$100.00 in money.

On arrival in Des Moines I called on the wholesale firm of Keyes & Crawford and purchased a few staple articles

needed, as far as my money would go. Mr. C. W. Keyes waited on me personally. I always liked him; he is pleasant and honorable and a gentleman wherever you meet him, as well as a shrewd Yankee, be it said to his credit. After paying for my purchases he said, "Is there not something more you would like to buy?" I said, "I can see a number of articles I think I could make use of, but as my ready cash is exhausted I have reached my limit."

He kept looking at me very critically, evidently studying my character, and as I was only in my 20th year it was not easy for him to make up his mind. Finally he said, "If I should sell you a small bill how soon can you pay for it?" I answered, "My dear sir, I am going into Boone county to a cross-road place called Ridgeport, fifty miles north of Des Moines. It is a new country, with but few settlers, and I do not know what I can do. Should you trust me for anything I can make but one promise and that is that you shall never lose anything by me." The result was I selected another bill of goods amounting to \$120.00 on credit. He did not ask for any references, nor where I came from, and for all he knew he might never have seen me again.

I then hired a team to take me to Ridgeport. On arriving at this place I met my brother and we traded a yoke of oxen, ten acres of timber land which he owned and a due-bill payable in merchandise for a remnant stock of goods amounting to \$250.00 from W. L. DeFore and Richard Green. So, on opening for business my stock amounted to about eight hundred and fifty dollars, on which I was in debt three hundred and seventy dollars. I rented the store building, sixteen by twenty-two feet, from Allen T. Silver, a former merchant of the place, for three dollars per month. I also hired a two-room log house for my residence, at one dollar and fifty cents per month. I had some wood in the log hauled from the timber which I chopped myself. I was now ready for business and opened the store.

People came in to see the new storekeeper and see what he had to sell. They priced his wares hesitatingly, but only made small purchases. It soon developed that the people had but little money to purchase goods with, and the question was

asked, "Could we swap you some maple-sugar or some beeswax for some blue denim and hickory shirting?" In this way the business developed into what was known as "barter" more than "cash."

In this way the following native products became current in the trade at the store: Furs of all descriptions, dry hides, maple-sugar, honey, beeswax, eggs, ginseng and feathers. A month after opening the store I hired a team with which I hauled an assortment of the above described products of the country to Des Moines, and with what money I had was enabled to liquidate my indebtedness to Messrs. Keyes & Crawford, who then trusted me for a larger bill of goods. Thus my credit was fully established with that firm.

My business increased, but the country was new and the settlers had but little that I could make use of to exchange for goods.

Hence it became, of necessity, a study with me what I could do to encourage the production of something which would sell for cash. I began to urge the farmers to raise corn and hogs for market, saying I would be in a position to pay cash for live hogs the following year. In the fall of 1860 I got a contract to buy fat hogs for a party at \$1.75 per hundred pounds, for which I received a commission of ten cents per head. I succeeded in buying over six hundred head.

The same fall I bought two car-loads of dry, fat cows off grass, paying ten dollars per head regardless of weight or condition. With a young man to help, we drove these cows to Iowa City, the nearest railway, 150 miles away and shipped them to Chicago. I made no money in this new venture, but I learned one thing to my advantage in future cattle deals: that a 700 pound cow would not bring as much in the market as a 1,200 pound cow would.

Early in 1860 a vacancy occurred in the village post-office and though not yet of age I was appointed by President Buchanan's administration to be the "Nasby" to preside at this cross-road. It was said at the time the reason for my appointment was that no Democrat could be found in the village who could read and write.

Postage-stamps then as now were cash on delivery. But perplexing as this was to my customers who brought in some barter but had no cash, their letters must have stamps, and the first question to settle in the trade was, "I must have stamps for these letters out of it." This was a hardship on the postmaster, but they had to come. Domestic postage was then three cents and foreign forty-two cents. As frequently happened double-weight unpaid letters came to the office from Europe, which would be eighty-four cents to collect in gold. Then during the civil war when gold was at two hundred per cent. premium the amount would be two dollars and fifty-two cents.

In the fall of 1860 I took a contract from Messrs. Hand & Cusey of Humboldt county, Iowa, to buy hogs at from \$1.50 to \$2.00 per hundred pounds according to weight. My commission was ten cents per head. In those days hogs were only fatted for winter market. During September I went out among the farmers and made written contracts for the number of hogs they had to sell, to be delivered December 1st. On that day Jesse Funk, of Bloomington, Ill., came out to receive them, bringing the money in his satchel to pay for them. I weighed in 1,500 head in two days. These had to be driven on foot to Otter Creek (now Chelsea) in Tama county, a distance of ninety miles, that being the terminus of the Chicago & Northwestern railway at that time.

By this time business had increased beyond my expectations, so that I had to build a store twenty-five by sixty feet and later added to its length. I also built a new residence the following year. I had now taken up the question of butter-making and the marketing of the same. Prior to this time there was no sale for butter. It required firkins to pack the butter in, which held one hundred and ten pounds. We had no coopers in the country and all these things had to be provided for. I sent men into the timber to fell trees, cut them into proper lengths, split into staves and made a drying kiln to season them. I also sent other men to cut hoop poles. I sent east for a cooper and soon had a supply of firkins on hand and sent out word about a week before the day I was ready to take in butter.

I placed four firkins and a barrel in a row and as the butter came in it was sorted according to color, freshness and quality to make each firkin as near uniform in quality and color as possible.

Few people had any conveniences for, or any experience in farm dairying, and at first some of the butter went into the barrel which was labeled "soap grease." You can easily imagine the difficulty that would arise in the grading of the butter among a dozen women, all present at the same time! But there was no one else in the country buying butter, so I could be independent.

This branch of the business soon developed into large proportions and also practically doubled my merchandise sales. On account of the civil war, prices of every commodity began to advance rapidly. I began to buy certain lines of staple goods far in advance of my needs, which proved to be very profitable.

In 1864 I formed a partnership with Joseph F. Alexander in buying and shipping live stock. We were quite successful and for several years it was said we were the largest shippers on the C. & N. W. railway in Iowa. In the spring of 1867 I made the mistake of my life, and I mention it here only to show that "honesty is the best policy." Two stock buyers from a northern county came down and proposed a partnership with Alexander & Ericson in order to handle and ship live stock on a large scale. We had known them for some years. They owned farms and were apparently well-to-do, so we entered into partnership with them.

Each of the four partners put in what money he could and the firm borrowed the rest as needed, until we had purchased twelve hundred head of steers (an investment of about sixty thousand dollars). We herded these on the prairies between the Des Moines river and Sioux City through the summer, intending to sell in the fall to the feeders. Unfortunately for us an early frost and the grasshopper plague came and ruined the corn crop to such an extent that no one in northwestern Iowa could feed cattle that year. Prices on cattle dropped one-half in a short time. We had sold some on contract, but the ones who contracted for them failed to

take them. So we had to ship them to Chicago as rapidly as possible, at a great sacrifice. When all were sold we still found ourselves in debt in the sum of twenty thousand dollars.

In trying to arrange for the payment of this large indebtedness I soon discovered that instead of four of us as paymasters, it devolved on two only. I pleaded and reasoned with our new partners to stand with us and do what they could and act honestly and we could all save our credit and pay our debts. But I could make no impression on them. Their wives owned the farms and the sons owned the personal property and *they owned nothing!* Soon after they sold their farms and emigrated to Kansas, but never prospered. This was a tough lesson at twenty-eight years of age; but it served to bring out all the energy and determination I possessed to get from under this load, and in due course of time it was all paid and my credit maintained.

In 1868 I built five schoolhouses in Dodge township, Boone county, receiving school orders bearing 10 per cent. interest in payment, there being no money in the school treasury. It was nine years before all the orders were paid. The houses were all built of native lumber kiln dried, basswood (linden) siding, white walnut finishing lumber, hard maple flooring and oak shingles, doors and window-sashes made by hand.

About this time I admitted one of my clerks, Mr. Swen M. Ferlien, to a partnership in my store, he having clerked for me about ten years. In 1870 Jackson Orr received the Republican nomination for Congress. He was at that time conducting a general store in the city of Boone. Meeting him on the street one day, he said, "Charley, I want to sell you my stock of goods." I said, "I have not thought of coming to Boone. I have a good business where I am." But he insisted, so I spent about four hours in his store going over his stock and making an approximate estimate of its value; after which I said I would think about it. He said, "I make my opening campaign speech in Jefferson to-morrow afternoon. You come down and see me in the morning." I did so and offered to pay his merchandise bills to a certain amount, give him a house and lot and two hundred acres of land that would

make good farms, provided he could get the water off of it, for his stock just as it was. We walked to the depot together and as his train whistled he said to his young son who was with us, "You tell Chris. Meidell (his head clerk) to give Charley the key to the store!" Thus a five thousand dollar trade was made without the payment of a dollar down or the scratch of a pen to show for it.

The store in Ridgeport was then sold to my cousins, P. A. & A. M. Swanson, the first having clerked for me for several years, and the firm of Erieson & Ferlien continued in business in Boone successfully for five years, when the business was disposed of to L. D. Cook & Co.

Upon the organization of the First National Bank of Boone, No. 2051, in 1872, I became one of the stockholders and was elected its first vice-president. Three years later, when failing health necessitated the retirement of the cashier, Mr. Vincent Wood, I was elected to take his place and as cashier entered upon active duties in the bank. In 1878 we voluntarily surrendered the government charter and reorganized as a private bank under the name of "The City Bank" with the same stockholders and officers.

In 1880 the president, W. F. Clark, died and from this time the management devolved on the cashier. The second president of the bank, Mr. Frank Champlin, passed away June 20th, 1905. Whereupon, I was elected to succeed him as president and Mr. C. E. Rice is my successor as cashier.

We started with a capital of \$50,000.00, which was later increased to \$100,000.00, and in addition we now have \$150,000.00 surplus.

I am now the only surviving charter member of the bank; which as it is the oldest bank in the city, has always been the leading bank. It has successfully gone through panics and hard times in all these years and retains the confidence and good-will of the people.

What little success I have attained in business I attribute to three things: First, honest and fair dealing with every man; second, refraining from speculations and investments in outside enterprises, but attending strictly to my own business; and third, making my word as good as my bond.

PRE-GLACIAL RIVER CHANNELS OF CENTRAL IOWA.*

BY CHARLES R. KEYES.

It is now a well established fact that the major drainage features of Iowa date back at least to late Tertiary times and that the main waterways were initiated upon an old Tertiary peneplain. In this region it is also clearly demonstrated that during glacial times the various ice lobes deflected in marked degree the courses of many of the streams. The recognition of pre-glacial valleys explains many otherwise unaccountable features which our present river valleys display. Some of the phenomena, to which attention has been here called, are found in central Iowa, especially in the vicinity of the city of Des Moines, and at this time are of exceptional interest. Geologically they are very important in their bearing upon the origin and history of certain of existing geographical characters.

During the past few years a large amount of exact information has been collected from various sources regarding these old river courses in Iowa. The pre-glacial channels in the vicinity of the present city of Des Moines come in for special attention for the reason that they have been so long misunderstood and have given rise to much unnecessary and unwarranted speculation among those who have not looked carefully into the geological aspects of the subject.

One of the most remarkable old channels of the Des Moines river, for instance, is the one which is now known to exist in the east part of the capital city. For a distance of four or five miles above the Raccoon Fork the present stream runs in a comparatively narrow, rock-bound gorge, which has long attracted notice. Both above and below this gorge the present valley of the Des Moines is several times as wide as it is in the gorge. A geological cross-section of this rock-

* The cuts used in this article are kindly loaned by the Iowa State Geological Survey.

bound gorge is represented below (Fig. 1). The steep bluffs and fresh rock ledges exposed in the sides of this part of the valley clearly suggest that the gorge is quite recent in origin

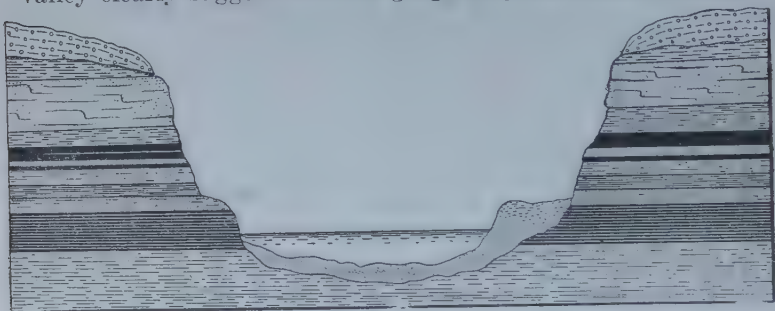


FIG. 1.

and that it was rapidly formed. There are many facts to which reference will be made later, going to show the inference to be the correct one.

East from Capital hill, a broad valley extends to the sharp Four Mile ridge. This valley is three or four miles in width. There is no running stream now occupying it. To the south this valley finally opens out into the broad valley of the present Des Moines river below the mouth of the gorge. To the northward the valley swings around to the west and merges with the Des Moines river valley again about opposite to the mouth of the Beaver creek, near the north end of the gorge. The course of this old valley and its relationships to the present Des Moines valley, the Beaver valley, and the Raccoon valley are perhaps more clearly indicated by the accompanying sketch map (Fig. 2).

In Capital hill and in Four Mile ridge the upper surface of the bedrock, although deeply covered by drift, is still at an elevation of about 75 feet above the broad valley between. But the bedrock in this valley is more than 100 feet beneath the present surface. This has been repeatedly proven in the coal mines which have been opened up northeast of the capital. In a number of cases the main coal seams to a depth of at about 90 feet have been cut off by old erosion channels, and subsequently filled with gravels and drift materials. On the east side of the valley the coal is again mined. Nu-

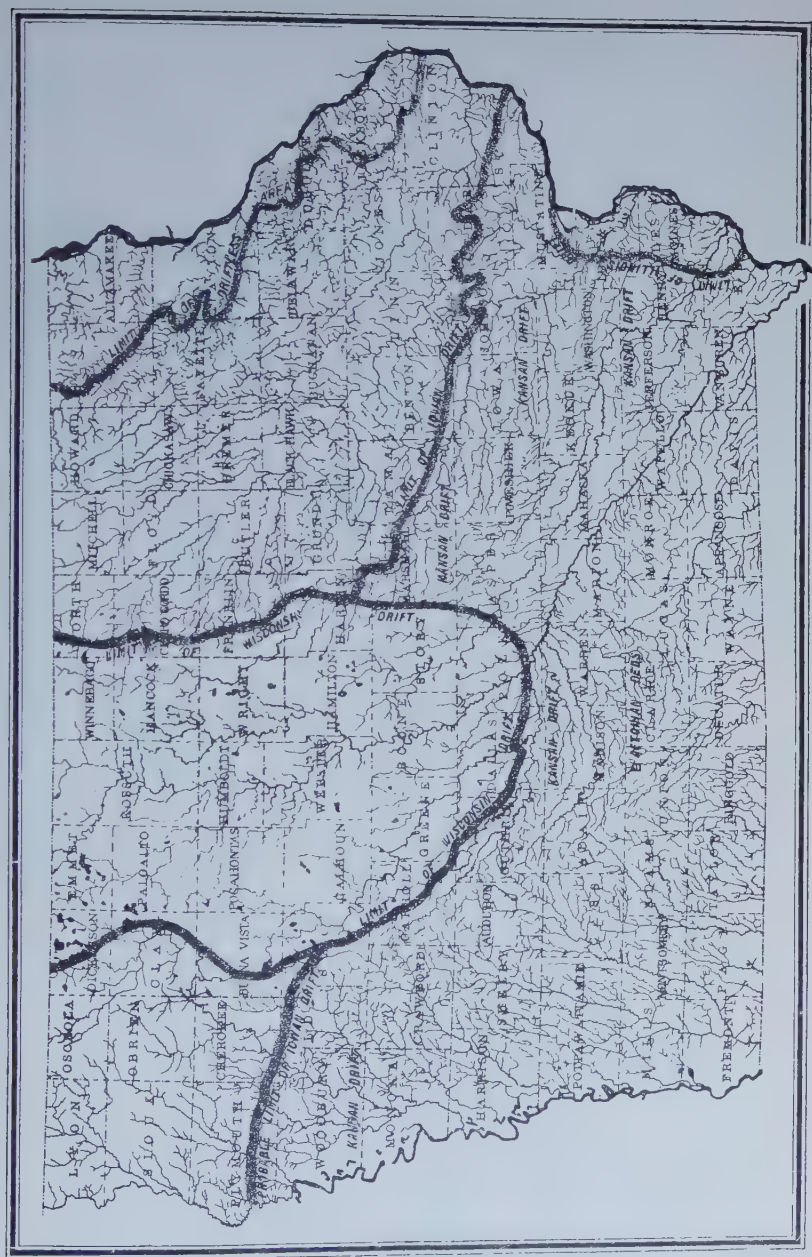


FIG. 3.

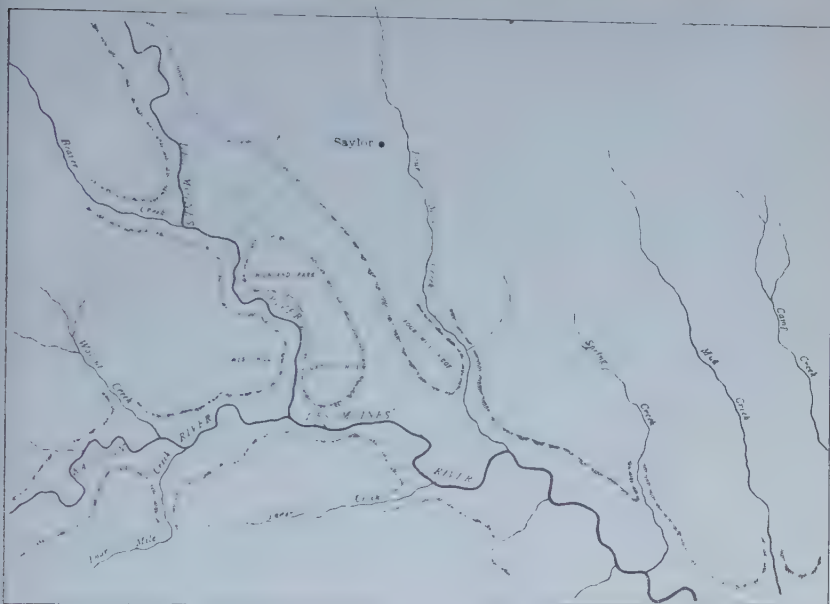


FIG. 2.

merous well records in the valley show conclusively that the drift deposits in the valley are 100 feet and more in thickness and that the rock-floor is to be found at about this level. These facts are also in accordance with similar observations made in the broad parts of the present Des Moines river valley above and below the gorge.

Beaver creek also flows along the line of a large pre-glacial channel, so large and deep that Dr. H. F. Bain, who has studied it in considerable detail, is almost inclined to regard it as an old course of the Des Moines river. This author says:

The Beaver valley shows topographic characteristics similar to those of the old valley just described. Its width is comparable to that of the latter valley, and if to it be added the width of the narrow valley occupied by the upper course of the Des Moines, the sum is about equal to the width of the Des Moines below the mouth of the Raccoon. The bottom of the Beaver valley is covered by the modified Wisconsin drift. Wells in this bottom land do not reach rock at depths of fifty feet. The side slopes show rare rock exposures, though the coal measures rise in them to heights considerably above the stream. At points undisturbed Kansan drift is found low down in the valley.

There is then a broad pre-glacial valley running across the country, now occupied in part by the Beaver, in part by the Des Moines and in

part unoccupied. For reasons to be considered later it is known that the course of the Des Moines above the mouth of the Beaver is much more recent, so this older valley may reasonably be considered to be that of the Des Moines. That the Raccoon river also flows in a pre-glacial valley seems well established. The topographic relationships, the drift-veneered sides, and the at least considerable filling up which it has undergone, all point to an age comparable to that of the Des Moines.

It is also quite possible that when the northern extension of this pre-glacial Beaver channel shall have been fully traced it will be found to be the old source of the north Raccoon river.

The manner in which the drainage lines may have been completely changed or modified by the later ice sheets is best shown by reference to the accompanying sketch map (Fig. 3).



FIG. 4.

In this connection attention may be called to similar old channels of pre-glacial character at the mouth of the Des Moines river (Fig. 4).

The Mississippi river at Keokuk now flows in a very recent rock gorge whereas in pre-glacial times it flowed in a wide deep valley lying to the west of that city. The comparative magnitudes of the two valleys are indicated below (Fig. 5).

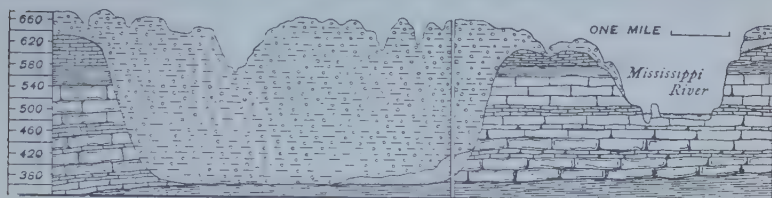


FIG. 5.

These facts were first brought out by Prof. C. H. Gordon and were subsequently fully corroborated by other geologists.

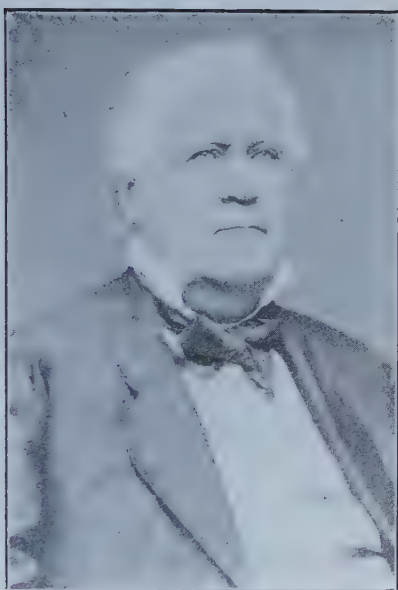
ENLARGING OF IOWA.—It is reported in the eastern papers that there was a movement on foot in Washington to enlarge our boundaries as a State by taking from Minnesota that portion of territory that lies between our western boundary and the Missouri river. It makes but little difference to Iowa whether it is annexed or not. If given, Iowa can take care of it, if not, she will make a State second to none without it.—*St. Charles City Intelligencer*, April 9, 1857.

THE WESTERN STAGE COMPANY is a great corporation, the most extensive, probably, in our State. The Company employ fifteen hundred men, and over three thousand horses, and own more than six hundred coaches. The capital invested is a million and a half of dollars. The field of their operations is in Iowa, Wisconsin, Missouri and Nebraska, and they are now running a regular line of stage to Fort Kearney, three hundred miles west of the Missouri.—*St. Charles City Intelligencer*, Feb. 17, 1859.

JUDGE JONATHAN C. HALL.

BY HON. EDWARD H. STILES.

It is no easy thing to so sketch an extraordinary personality as to bring saliently out the particular traits that make it so. The first time I saw Jonathan C. Hall was in the old court-house at Ottumwa fifty years ago. I was introduced to him as a young law student just from Connecticut. He talked with me in that good-natured and kindly manner highly characteristic of him, and the acquaintance thus commenced laid the basis of a lasting friendship. Though he had then attained the highest professional rank, his presence and bearing were perfectly devoid of the least tinge of vanity or self-importance. There was about him, however, an indescribable something that told as plainly as words that nature had fashioned him in no ordinary mold. Without being apparently sensible of it himself, his presence was commanding, and his "supremacy was written upon his features and person." He was heroic in frame, of Taft-like structure, whose height was apparently diminished by its breadth, and whose embonpoint unmistakably showed the signs of generous living. He had a large head, a full face, a rather florid complexion and light hair. He was careless in dress, inattentive to the little conventionalities of society, easy of approach, amiable and sympathetic in disposition, generous beyond his means, unrestrained in frankness and independence of speech and manner, save by those gentlemanly and tender instincts which the Almighty had deeply implanted in his being. He liked whole-souled company, good cheer, and was convivial to a high degree. Generally speaking, I may say that the traits last referred to were characteristic of a majority of the lawyers of that day. He was fond of anecdotes, liked a good story, and few could tell better ones than himself. By virtue of these traits coupled with his fame as a lawyer, his presence was much sought and his society courted, whether at home or moving in the circuit of his extensive



J. C. Hare

PIONEER LEGISLATOR; ASSOCIATE JUDGE IOWA SUPREME COURT.

practice, and especially by the younger members of the bar, who flocked to see and listen to one about whom they had heard so much.

Along with these fascinating personal qualities he possessed strongly intellectual ones. The capacity of deep and vigorous thinking, of analyzing difficult problems, of solving perplexing questions by the sledge-hammer forces of his potent and resourceful mind. He was perspicacious in legal argument, and when occasion demanded powerful as an advocate. He wasted none of his strength on trivial points, but grasped at once the pivotal ones and went straight for them with vehement force. He was naturally mild and sometimes apathetic. It took something more than the ordinary to arouse him, but when fully aroused, he was a very Titan in power. These conspicuous qualities deeply impressed him on the State and justly established him as among the greatest lawyers of his time. Nor were these achievements assisted by the auxiliaries of either a polished education or a polished speech, for he had neither.

In this connection I can do no better than quote from a description of some of the early lawyers furnished me by one fully qualified to know and who was one of the most profound lawyers and thinkers this State has ever produced. I allude to Judge Charles Mason. Intending to sometime sketch the judges, lawyers and some of the prominent men of earlier Iowa, I took the liberty of writing to him for such information concerning his contemporaries as he might be pleased to convey; and I cannot refrain from saying that I highly prize as a token of his interest in the matter, and of the kindness of his great heart, the manuscript which, with the aid of his daughter as amanuensis, he prepared and sent me when enfeebled by an illness which proved to be his last. Speaking of Judge Hall in the manuscript referred to he said:

J. C. Hall was one of the ablest practicing lawyers I have ever known. His leading characteristic was strength. He cared little for polish or rhetoric, using language sometimes inapropos and incorrect, but uttered in such a way that no juror could fail to understand his intended meaning. He regularly attended all the courts held in the first judicial district, and was engaged in almost every case that was tried therein. He was most persistent and persevering in the pur-

suit of his main purpose, and was very generally successful. When fully aroused he seemed like a great locomotive that nothing could resist. If defeated on one point he was fruitful in expedients by some flank movement to obtain success on others. He was indefatigable and untiring, and his success was in a great degree commensurate with his industry. There were other better read lawyers, but I know of no one with whom I would have been more willing to entrust a difficult case.

Along the same lines, Judge Springer, himself a distinguished lawyer and judge, and president of the Constitutional Convention of 1857, in the course of his address at the reunion of the surviving members of that convention, held in 1882, said:

Judge Hall had been a member of the First Constitutional Convention held in Iowa and was the only member of our convention that had been a member of either of the previous conventions, and had held with credit a seat on our Supreme Bench. He was an able man among able men. He was endowed by nature with a large heart and a still larger brain. As an advocate, lawyer and jurist his place was in the front rank of the Iowa bar. Though not possessed of the culture and scholarly attainments of some of his contemporaries, yet for strength and depth of mind, for logical force and power of argumentation he was entitled to rank with the foremost men in the State.

Coming from the sources they do, these estimates of Judge Hall go far in establishing a firm basis for his judicial fame.

After this general view let us glance at some of the particular instances of his life. He was born in Batavia county, New York, in 1808. He died in 1874 at the age of 66. His father, Colonel Samuel Hall, was one of the pioneers of that part of New York. He came there with his wife and family in 1804. His wife was Sarah Chapin Hall. The stock must have been good or there never could have sprung from it such men as Jonathan, Augustus, and Benton J. Hall. Samuel Hall cleared the wilderness and hewed the unbroken forest in order to make his cultivated fields. In this strenuous work, the son as soon as old enough participated; and to this discipline the full development of his naturally strong physique was doubtless in a large measure attributable. His education was obtained in the common schools, eked out with a few terms at the Wyoming Academy. At the age of 20 he commenced his legal studies in the office of Abraham Van

Vechten, a distinguished lawyer of Albany. He completed his studies with lawyers of ability in Ohio. In 1830, at the age of 22, he was admitted to the bar at Columbus, and entered the practice at Mount Vernon, where he located the same year. He was early successful and established a good practice at that place. But circumstances, the loss of a favorite child, the desire to break his environments, and the boundless freedom of his spirit, induced him to take the way which the star of empire is said to, and seek the then far west. He came to Burlington in 1839, looked the country over and decided on Mt. Pleasant, where he with his family located in 1840, during the second year of our territorial organization. Here he soon established an extensive practice. He regularly attended the courts of the different counties as they were organized. His fame as a lawyer spread. The circuit of his practice increased. He was retained in important litigation both within and without the State. He had foemen worthy of his steel, and whose great ability was able to invoke and make necessary the best of his own. Foremost among these were David Rorer and Henry W. Starr, of whom as well as of the other persons mentioned herein I trust I may sometime be privileged to write further.

In 1844 the people were seeking the admission of the territory as a state. To this end a convention was called to frame a constitution on which the state could be admitted. He was chosen a member of this convention. He had for associates some able and noted men, among whom were Stephen Hempstead, ex-Governor Lucas, Ebenezer Cook, Ralph P. Lowe, Shepherd Leffler, Elijah Sells, Francis Gehon, Stephen B. Shelledy. He was regarded as one of its ablest members, and it was conceded on all hands that his influence had been potential in framing for that period a constitution well suited to the condition of the people. As a matter of fact this constitution was rejected by the people on account of the state boundaries as therein fixed, but with these changed it was afterwards adopted with few alterations and became the constitution of the State.

In 1854 he was appointed a judge of the Supreme Court of the State. His opinions will be found in Vol. IV, G. Greene's Reports.

When a new constitution, that of 1857, came to be framed, he was elected a member of the convention chosen for that purpose. Here again he had some strong associates, among whom were Francis Springer, Timothy Day, James F. Wilson, Edward Johnstone, R. L. B. Clark, John T. Clark, William Penn Clarke, D. G. Solomon, George Gillaspay, Amos Harris, Lewis Todhunter, William Patterson, Robert Gower, John Edwards and other men of ability. In this notable body he exercised even greater influence than he had in the convention of 1844, and many of the wise and beneficent provisions of the instrument it gave to the people are traceable in a great degree to his broad and vigorous mind. The printed debates of that convention will attest this and constitute a lasting memorial to his fine qualities. He was the author of the provision authorizing the public school system.

In every position, he was a friend of and true to the people. His ideas of legislation were humane and progressive, and to his influence the people of Iowa were greatly indebted for its redemption and exemption laws.

He was a champion of internal improvements. In 1855 he was elected president of the Burlington & Missouri River Railroad Company, and it was greatly through his influence and foresight that its affairs were placed on a substantial basis. The first locomotive that entered Burlington was named "J. C. Hall," in his honor.

He was also a firm champion of the educational interests of the State. What an important factor in that behalf he was in the Constitutional Convention of 1857, has already been noted. He assisted in the founding of the academy which afterward became the basis of the Wesleyan University, and could always be relied upon to forward educational measures. In an article on the early times appearing in Vol. I, 3d Ser. of *The Annals of Iowa*, Prof. W. P. Howe, speaking of the men who laid the splendid foundations of our educational system, said, "Judge J. C. Hall and David Rorer were lifelong supporters of the public schools, and were among my father's

warmest personal friends, though their politics were as wide apart as the poles." (The father of Professor Howe herein referred to was the venerable and reverend Samuel L. Howe, whose early, long-continued and heroic career as an educator have durably embalmed him in the annals of the State and the affections of her people.)

In the fall of 1859 he was, against his inclination, sent to the Legislature as a representative of Des Moines county in the Eighth General Assembly. At the ensuing session of that body a new code of laws, and embracing a new system of practice, was to be reported by the commissioners appointed for that purpose, and it had been the great desire of his people that he should be present and exert his influence in molding into final shape what was to be known as the *Revision of 1860*. In this work he took a prominent part and unceasingly devoted himself to it. Without in the least detracting from the unwearied labors of the very able commission which prepared and reported the code as it originally stood, it is not too much to say that his efforts were greatly effective in improving it in some of its important features.

Immediately after the inauguration of the rebellion a special session of the same Assembly was called by the Governor to meet the emergency. Among his associates therein was Henry C. Caldwell of Van Buren county—afterward a distinguished Iowa soldier, and successively major, lieutenant-colonel, and colonel of the Third Iowa Cavalry, and after that, for a period of forty years, one of the greatest and purest judges that ever graced the Federal Judiciary. He and Judge Hall were both on the Judiciary Committee.

The measure giving the soldiers in the field the right to vote did not pass into a law until 1862, but it originated in 1861. Several persons have been given credit for its origin, but it unquestionably belongs to Judge Hall, as what is to follow will clearly show. In the summer of 1902 I paid Judge Caldwell a visit at his summer home in Colorado. We talked of a number of men we had known, and among others of Judge Hall. He said he regarded Judge Hall as not only a very able lawyer, but really a great man and entitled to be classed as such. Of this conversation I took notes at the

time which I now have before me, and from which, as bearing on the point alluded to I quote. Judge Caldwell said:

I was Chairman of the Judiciary Committee in the House and Judge Hall was second on the committee. We became very warm friends and were in accord on all questions that came before the extra session of May, 1861. One night Judge Hall came to my room with a paper in his hand which he laid down on my table and said: "Caldwell, I have drawn a bill providing for taking the vote of the soldiers in the field during the war. This is going to be a great war. Mr. Seward is greatly mistaken in his estimate of its duration. It will be one of the greatest wars of ancient or modern times; and before it ends all the able-bodied men liable to do military duty may be compelled to enter the armies of the Union and go to the front. This would take from their homes the great mass of the patriotic men and friends of the government within the military age, leaving behind those who are unfriendly to the government and whose sympathies are with the rebellion; and with these ballots they would be able to do the government more damage than if they were at the front with muskets in their hands fighting against us. The votes of these men would be more dangerous than if they themselves were in the open field. Hence in order to provide against such a state of affairs, we must confer the right to vote on the soldiers in the field." I suggested that it would be unconstitutional. He said that he had investigated that question and was satisfied that it would be constitutional, and be so declared by the Supreme Court in the event of litigation. Judge Hall was not only a lawyer of great ability, but a great man, and his patriotism and profound, prophetic foresight in this single instance, shows him to have been such.

As I had heard the origin of the measure ascribed to others I thought it possible that there might be some mistake about the matter. In a few days, however, I received from Judge Caldwell a copy of the House Journal which he had procured from the state archives, fully confirming the statement he had made. As the origin of the measure has been obscured, as it essentially affects the biography of Judge Hall and throws a strong light upon his character, I, in order to place the matter, in a particular manner, beyond controversy, here reproduce the Journal entries referred to. On reference to the *Journal of the House of Representatives* at the extra session of the General Assembly of the State of Iowa which convened at the capitol in Des Moines, on Wednesday, the 15th day of May, 1861, by referring to page 98 of that Journal under date of the 27th of May, the following entry will be found:

Mr. Hall, by leave, introduced the following bill:

House File No. 39. "A bill for an act to authorize volunteer officers and soldiers who are absent from the State and in the service of the United States, and citizens of this State to vote at State Elections."

Which was read a first and second time and referred to the Committee on Elections.

Under date of May 28th, on page 110 of the Journal, the following entry will be found:

By leave, Mr. Rees submitted the following Report:

Your Committee to whom was referred House File No. 39: "A Bill for an Act to authorize Volunteer officers and soldiers who are absent from the State and in the service of the United States and citizens of this State to vote at State Elections," report the bill back and recommend its passage.

SAMUEL REES,
D. D. SABIN,
J. W. LELACHEUR.

On the same day the following entry appears on page 118 of the Journal:

Mr. Hall moved that the House take up House File No. 39: A Bill for an Act to authorize Volunteer Officers and Soldiers who are absent from the State and in the service of the United States, citizens of this State, to vote at the State Elections. Carried. Mr. Williams moved to postpone the further consideration of the bill till the year 2065. Upon this motion Mr. Hall demanded the yeas and nays, which were ordered and were as follows:

On the same day the House adjourned *sine die*.

Mr. Williams, who made the motion to postpone the consideration of the bill till the year 2065, was one of the representatives from Dubuque county, and immediately upon the adjournment of the Legislature he proceeded to Virginia, his former home, and entered the Confederate service.

When it is remembered that this action of Judge Hall was only a little more than a month after the bombardment of Fort Sumter (April 12th, 1861), and more than two months before the first battle of the war (that of Bull Run, July 21st, 1861), and that the seventy-five thousand troops called for by the President for three months had been thought in high quarters sufficient to crush the insurrection, no one can fail to appreciate the profound discernment which enabled him, it would seem beyond any man of his time, to so clearly foretell the mighty events which lay in the future.

I have referred to the fact that many of the lawyers of that time, and perhaps largely as a class, were convivial. Do not let me be misunderstood, for while they were more or less convivial, they were not debauched. The flowing bowl was an incident of those days, but it was rarely abused, and while lawyers indulged more freely than members of the other learned profession, they were seldom dissipated, or hors de combat in the hour of action. Why they took precedence, in the respect mentioned, over doctors and clergymen, is easy to understand. The vocation of clergymen, for obvious reasons, properly placed them under very different limitations and conditions. To a great extent the same may be said of the doctors. Both of these were comparatively isolated in their fellowship and professional action. Neither, so to speak, "flocked together" as did the lawyers, at the courts of their own and those of the other counties composing their circuit, and which all the leading ones attended. To do this, they frequently went long distances and through all kinds of weather—not by railroad, bicycle or automobile, for it was before their day—but overland, and generally, though not always, on horseback. Their almost constant companionship naturally made them convives.

It is not alone the glamour of biography that makes it valued or interesting. It is rather its incidents, that serve to portray the individual from different points of view, and as he really was in his every-day as well as in his Sunday clothes; in his relaxation as well as in his strength. Human weaknesses in the great, it is said, make us love them. They make us akin.

But the frailties of these men were of the forgivable and healthy sort as compared with those we frequently see to-day. They were faithful to their families, their friends and the State. The disgraceful exhibitions of domestic treachery and official corruption, which are constantly passing before our eyes like the scenes of some frightful panorama, were unknown.

With this preliminary, I feel justified in narrating an incident which will, as it were, throw a vivid side-light on some distinguished counselors of that period, and thereby

serve to illustrate the customs of the time, and what I have said. The *dramatis personae* of the incident were four noted lawyers, who were taking a little ride of 250 miles through an almost unbroken wilderness, to procure some testimony in a certain contested election case. They were the Hon. Daniel F. Miller of Keokuk, the Nestor of the Iowa bar for length of continuance of service at the time of his comparatively recent death; Judge Jonathan C. Hall of Burlington, the subject of this sketch; the Hon. Lyman Johnson of Keokuk, and the Hon. John F. Kinney, then a judge of the Supreme Court, who had been appointed as the commissioner to take the testimony. The contestants were the said Daniel F. Miller, commonly referred to as "Dan," and William Thompson of Mount Pleasant, a well-known lawyer, familiarly known as "Black Bill," from his dark complexion. They had been opposing candidates for Congress in the southern district (there were then but two districts in the State). Thompson being awarded the election, Miller entered the contest, on the ground that the poll-books from the Mormon precinct at Kanesville, now Council Bluffs, had been stolen from the room where they were deposited, and that the returns, if shown, would give him a clear majority. Not being able to find the missing poll-books, Miller was proceeding with his *compagnons de voyage* to Kanesville where the vote had been cast, to take testimony to show who had voted, for whom the votes had respectively been cast, and that the same had been polled and forwarded. Hall and Johnson represented Thompson in the proceeding. Miller represented himself.

In after years it so happened that on the 6th of December, 1884, I met Mr. Miller—whom I as nearly everybody else loved—at Des Moines, and we came home on the same train, occupying the same seat. It was night and the journey was long and slow. I desired to learn all I could of the earlier times and of the men who had invested it with so much extraordinary interest, and plied him with many questions; among others some relating to his contest with Thompson. He gave me all the details respecting the alleged theft of the poll-books and their subsequent unexpected discovery, which it

would not be germane to relate here. He then gave me the following narrative of the journey across the country above alluded to, which I at the time reduced to writing in a memorandum book I carried, which I afterward read over to him for correction and approval, and which I now give in his own language as thus written:

We started to take depositions in my election case with "Bill" Thompson. The State was divided into two Congressional districts. Thompson and myself had run for Congress in the southern district. The poll-books had been stolen and we had to take secondary evidence, so to speak, as to how the vote had gone. Judge Kinney, then one of the territorial judges, had been commissioned by the Government to take the testimony. J. C. Hall and Lyman Johnson were Thompson's attorneys; I represented my own case. We, Kinney, Hall, Johnson and myself started westward. We had a two-horse wagon. Johnson drove. It was the cholera season. Many had died in Keokuk. We laid in a lot of medicine to meet the event of cholera sickness. We started from Keokuk. As we were about to start, and before I got into the wagon, I pulled out a bottle of brandy which I had taken the precaution to provide myself with, and as I held it up in my hand, I cried out, "I have got the advantage of you fellows." "Not by a great sight," says Hall, and as he spoke he raised from the bottom of the wagon a two-gallon jug. Thus equipped, we started. In due course of time we arrived at Keosauqua. We took some testimony there. Fifteen persons had died there with the cholera. We did not stay there long, but pressed westward. Our ultimate destination was the Missouri river in the vicinity of Council Bluffs—then called Kanesville—to take the testimony of Mormons who had encamped there on their way to Salt Lake. They had been driven from Nauvoo, they had tarried in Iowa, had remained there long enough to vote; quite a large body of them had reached and congregated in the neighborhood of the Missouri river.

We went from Keosauqua to Centerville. The only road was the Mormon trail—a trail they had made in their removal westward over the prairies and across the streams. We followed this trail. It was the month of March; our way lay through the wilderness; the weather was somewhat rough, but we kept supplied with a sufficient amount of whiskey to keep us warm, enliven our spirits, and thus shorten the journey. In order to do this pretty effectually, the intervals between drinks were not as long as those between the governors of North and South Carolina. The country along our route was uninhabited, save at intervals of great distance. We would generally manage to make a cabin for the night. We reached Centerville and rested there a while. The contents of the jug had run out and we were obliged to replenish our stock, and got the demijohn filled again. This was necessary in order to keep us warm and maintain our cheerful spirits. From there we struck towards the Missouri river. After some days of travel and when within some fifteen or twenty miles of the river, we came after nightfall upon a clearing and cabin, of which we had been informed and at which we expected to get accommodations for the night. We drove up towards the cabin; out came a pack of hounds roaring like so many lions. We hallooed for the inmates, and presently out came a man and hallooed back to us. "Who is it and what do you want?" said he. "We are on our way to the river and have been informed we could

get sleeping for the night here. Can you keep us?" we replied. "Yes, I guess so; get out and come in," said he. We looked after the horses with the man and then went in. He had two cabins, one in which he lived and cooked, and a very small one in which were located three beds. This was assigned for our lodging. But we were not quite happy. We had run out of material again; Hall, especially, was terribly disconsolate. He called the proprietor in and asked him if he had any whiskey he would let us have. The man replied, "Wall, strangers, I have got some whiskey. I went with my team all the way from here to St. Joseph, Mo., to get it; the roads are bad and I tell you whiskey are whiskey. I got a barrel of it and I'll let you have some, but whiskey are whiskey." "Well, what do you mean; how much do you want for it?" said Hall. "Seventy-five cents a pint," said the man. (Twenty-five cents a gallon was the highest price for whiskey at that time.) "Why, my gracious, that is cheap; how can you afford to sell it for that after bringing it so far? Give us a pint of it," said Hall. The man brought us in a pint with which, and a good, rousing fire to warm up our chilled frames, we soon made ourselves comfortable. The pint was soon gone, and Hall calling in the man, said to him that his whiskey was so cheap, we must have another pint of it. Well, another pint was brought and considerable of it drank before supper was called, as we were very cold, chilled through. I forgot to say that it was about ten in the evening, when we arrived and about midnight before supper was ready. On the table was some good corn-bread, a good substitute for coffee made of dried crusts of bread, ground, milk, and in the middle of the table a huge yellow dish filled or nearly so with a clear looking liquid in which were floating scraps of the bacon from which it had been tried. As a substitute for butter I placed a lot of it on my plate as did all the rest of us, to sop our corn-bread in. I put a piece of the latter, well sopped, in my mouth, but immediately after getting a good taste, threw it out, exclaiming, "My gracious, this is rusty bacon!" I was hungry, but my stomach revolted. Hall, however, who was a man of most robust stomach, and whose appetite had become whetted by the long fast, said, "I tell you boys this corn-bread and gravy is good," and he ate a large quantity of it. Supper ended, we went to our sleeping cabin; we sat and talked a while, and finally Kinney and Johnson turned in. Hall and myself concluded we would sit up and enjoy ourselves a while longer. As we sat there Hall called my attention to a copy of the *Burlington Hawk-Eye*, which had been shown him the day before, in which there were intimations that he had been connected with the loss of the poll-books, and said he believed that I was responsible for what he termed these — incendiary documents which were being thrown broadcast. "I'll be darned if I like it," said he. The whiskey had produced just that effect on me that the allusion put me in fighting trim, and I said, "I don't care a blank whether you do or not; I believe there is some ground for it and you can make the most of it." Hall rose to his feet, swelling with anger and resentment. He looked me squarely in the face for a moment, his eyes glistening like fire, and I thought he was about to strike me, when his face relaxed into gentler lines and he said, "Well, Dan, I reckon we had better not make fools of ourselves." I immediately put out my hand, which he cordially grasped, and after taking a "night cap" we went pleasantly to bed. Towards morning I heard him giving vent to the most terrible groans. He had partly raised himself up in bed. I could plainly see by the light of the open fireplace. I sprang up. "My God, Hall, what is the matter?" I excitedly asked. "Get the medicine quick," he replied, "I have got the cholera; I never was in

such agony in my life; I believe I shall die." I at once aroused Kinney and Johnson. "Get up," said I, "for heaven's sake get up quick; Hall has the cholera; get out the medicine quick, and I will run and arouse the people in the other cabin and get them to heat some water." Out of the cabin I went to the other one and called to the man to get up. "Get up quick, your whole family, and heat all the water you can just as soon as possible; one of our men has the cholera. Don't be frightened; you need not come near the house; heat the water and we will come for it." On my return to the cabin Hall had succeeded in getting up and was standing in front of the large fireplace, his hands holding to the mantel or jamb. After some retching and relief of the stomach, we concluded there was no cholera in the case; whereupon we all joined in a hearty laugh, and none more heartily than Hall himself, and returned to our repose.

The extent of Judge Hall's practice is readily shown by the report of cases which went on appeal to the Supreme Court. At the term held in the southern judicial district at Burlington in May, 1848, he was in twenty-six cases out of thirty-nine that were then decided, as shown and reported in first G. Greene's Reports. At the term held there in May, 1849, and reported in second G. Greene, he was in twenty-two cases out of the thirty-two then decided. When we consider that but comparatively few cases tried below go to the Supreme Court, some idea can be formed of his immense practice in the southern district. In addition, he had a goodly number of the other districts of the State.

It is a pity that of the great number of his forensic efforts so few remnants of his oral ones have been preserved. Indeed, I know of but one—that in the case of Ruel Daggs vs. Elihu Frazier, tried in the district court at Burlington in June, 1850. There were but few shorthand reporters in the world at that time. George Frazee of the Burlington bar, an accomplished lawyer and writer, and who at the time of his death in 1904, was the oldest member of that bar, was one of them. His notes were taken for private use, but in 1903 he consented to the publication of his report of the entire proceedings in the case, including the evidence introduced, the arguments of counsel to the jury and the charge of Judge Dyer before whom the case was tried. It will be found in Vol. VI of *The Annals*. The case was a noted and exciting one, arising under the Fugitive Slave Law, in which the owner sought to recover for the value of escaped slaves whom

he claimed to have been prevented from retaking by the so-called Abolitionists in the neighborhood of the Quaker settlement of Salem in Henry county. David Rorer was for the plaintiff and Mr. Hall was for the defendant. In the existing excitement against those who sought to interfere with the right of the master to follow and retake his fugitive slaves under the law, Mr. Rorer had the easy side of the case, Mr. Hall the difficult one. It was a combat of trained and powerful intellects, and I doubt whether many better specimens of offhand, extemporaneous argument in a nisi prius court than theirs in that case, can be found anywhere. That of Judge Hall, though struggling against the weight of testimony and adverse conditions, glows with ingenious force and varied, pungent, ratiocination; and I am constrained to say that of Judge Rorer, who had better standing-room, was not behind. These proceedings are alone sufficient to show that both were past grand masters in their profession. Their friends and the profession at large should feel thankful to Mr. Aldrich and the Historical Department of Iowa for the resuscitation and publication of the proceedings referred to.

If his lot had been cast in a large city where the stimulus of high conditions and the friction of great interest invoke extraordinary forces, he would doubtless have acquired national fame as a lawyer. He evidently possessed mental powers whose depths were never fully sounded. It was said by Walpole that "Men are often capable of greater things than they perform. They are sent into the world with bills of credit, and seldom draw to their full extent." And so it was with Jonathan C. Hall.

In politics he was a Democrat of the old school; but above all and at all times, a patriot. He left surviving him a son, Benton J. Hall, who early attained great prominence as a lawyer, represented his district in Congress, was Commissioner of Patents under President Cleveland, and died lamented and beloved by every one who knew him.

ELIPHALET PRICE.*

BY THE LATE HON. SAMUEL MURDOCK.

We met in early life upon the border, where the civilized and savage commingled to pursue a common road, and for more than a third of a century he was my neighbor and my friend, and what I have here to say over his past life is but a tribute I owe to his distinguished worth.

Neither in the history of our own country, nor in that of any other civilized nation of the globe, has there ever been another half century of human affairs in which there has been so much progress and development, in all the avocations of human life, as the one that now closes the career of our lamented friend.

He saw the country from the great lakes to the Pacific ocean a wilderness and peopled alone by the hunter, and the savage, and he saw the same territory rapidly converted into states and peopled by a race of men who have converted it into blooming farms and fertile gardens; and established over all a government and a civilization based upon the principles of exact justice and self-government, the greatest and perhaps the grandest the world ever saw.

In nearly all of this development of empire, of human progress, settlement, and western civilization, with all their attendant excitements, turmoils and passions, our old friend was an ever constant, prominent and untiring worker, and to write the history of such a man, to do justice to his name and memory, and to carry him through all the varied scenes and

* Up to the time of his removal to Colorado there was no more commanding personality in the northeast quarter of this State than Hon. Eliphalet Price. Upon the occasion of his death Judge Murdock, of Elkader, wrote this interesting sketch of his life, which was published in a local newspaper. It is deemed most fitting to reproduce the sketch in these pages as a part of the history of that section of the State.—EDITOR OF THE ANNALS.

struggles of the last half century of western life, in which he was connected, would require volumes, instead of a newspaper article.

The history of Iowa and the development of civilization in this great valley can never be correctly written without his name being in the front rank of those who contributed the service of a long life to the establishment of everything that has proved beneficial to existing races and their posterity; and I must leave it to the pen of him who may come after me, and who in future years may seek to write of the rise, progress and development of American civilization to do more, and content myself and your readers with a few of the leading, prominent features and acts of his eventful life.

He was born in Jersey City, in the State of New Jersey, on the 31st day of January, 1811, and as he grew up he received from his father the rudiments of a common education, and when about 18 years of age his father took him to New York City and bound him as an apprentice to learn the trade of a painter.

This old relic of feudal times, called master and servant, still forms one of the chapters of the law of "domestic relations," and although it has nearly vanished from western civilization, it still clings with force to the institutions of the older states, and at the time we speak of it was in its full force and vigor in the State and city of New York, and was often made the pretense for the very worst acts of tyranny and oppression by the master over the apprentice.

Here, however, was a field for the genius of our friend and he soon accomplished a thorough organization of all the apprentices of the city into a strong society, with a constitution and by-laws that taught the most tyrannical master that they had rights which he was bound to respect.

This society soon raised a sum of money with which they purchased a fine library of all the leading works of that day and it was here that our old friend laid the foundation of that classical and historical knowledge which made him famous in after years as a writer and a scholar of no ordinary capacity.

Vicissitude and misfortune, however, overtook his old master, and he absolved young Price from his indenture and this threw him upon the world to make his own way through life.

About the beginning of the year 1831 he arrived in the city of Philadelphia and became the local editor of a paper called *The Market Exchange*, and in this capacity he soon brought himself into notice by his witty and spicy articles, many of which are more witty and mirthful than those of Ward or Nasby. But he soon tired of this work, and looking about for wider fields for his talent, in the fall of that year he repaired to Washington City.

General Jackson was at that time President of the United States, and the Senate and House were then represented by such men as Clay, Webster, Calhoun, Adams and others, who have now, like himself, passed away, but whose deeds will live forever. He remained here through two sessions of Congress, heard all these great and distinguished men from time to time discuss great national questions, and formed an intimate acquaintance with many of them that ended only with their lives.

He left Washington some time in 1832, with the design of seeing the far west and exploring the valley of the Mississippi; traveled on foot to Pittsburg, and after recruiting his wearied limbs, embarked on a steamer for Cincinnati. After remaining in this city for a short time he took passage on a steamer for New Orleans, and when he arrived in the latter city he found a large number of its inhabitants stricken down with the cholera.

Here for the first time since he left New York he found himself among strangers and without a cent in his pocket, with a dangerous and fatal disease raging around him. He repaired to the wharf in hopes to find some craft that would take him beyond the limits of that fatal scourge. At the wharf he found a steamer with her clerk on shore checking goods that were being shipped upon her, and upon inquiry the clerk informed him that they were loading for the lead mines of Galena, and requested him to take his place at the

plank and check for him a few minutes while he procured a little medicine from a neighboring drug store.

This he gladly did, and very soon the captain of the boat came along and discovered that his clerk was absent and a new man in his place, when he immediately followed his clerk to the drug store, only to find that he too had just died of the fearful disease.

Returning in a few moments to his boat he immediately engaged the services of our lamented friend as his clerk for the trip. Never was a service more gladly accepted or more faithfully performed, and in due time we find our young friend in Galena, looking about for some vocation that would give him a living.

But to him in his youthful days "fields always looked greener when they were far away," and he turned his steps towards Iowa, arriving in Dubuque some time in the fall of 1832.

It will be remembered that on the 21st of September, 1832, the Sac and Fox Indians had ceded to the United States a strip of land about fifty miles wide, extending from Missouri to the mouth of the Little Iowa. This treaty was to take effect on the first day of June, 1833, but as soon as the terms of it were known hundreds of men rushed across the great river, took up claims and began prospecting in the lead mines of Dubuque.

The Indians protested against this inroad, and Gen. Zack. Taylor, who was then commanding at Fort Crawford, and who was afterwards elected President of the United States, was ordered to proceed to the purchase and drive out the settlers. This order he executed to the letter and our old friend with others was compelled to leave the Territory.

Like all the others, he hung upon the border, and on the expiration of the time he returned to Dubuque and was among the first white men who made a legal settlement within the limits of what is now the great State of Iowa.

In the fall of 1834 he, in company with a party of hunters, explored the valley of the Turkey, and being enraptured with its romantic scenery, its rich and fertile prairies and its

rippling stream, he determined to make the valley his future and permanent home.

Returning to Dubuque to fulfill a contract he had entered into with Father Mazzuchelli to build for him a Catholic church, he again, in the fall of 1835, returned to the valley of the Turkey, and in company with C. S. Edson, a person well-known to the old settlers of Clayton, spent the first winter near the town now called Osterdock.

In the winter of 1836 a Mr. Finly erected a sawmill on the Little Turkey, near the present town of Millville. He shortly afterwards sold out his mill and his claim to Robert Hetfield and Mr. Price. In the erection of this pioneer sawmill, Joseph Quigley, still living in Highland, was the millwright, and Luther Patch, still living and now residing in Elkader, was the sawyer.

After a time Price sold out his interest in the mill, selected for himself a beautiful and fertile tract of land on the north side of the Turkey, about five miles from Millville, and on this he built his cabin. In a few years he converted this wild land into one of the finest farms of the county.

It was in this cabin that he became known to every settler and wayfarer in the land. Whether his stock of provisions was great or small, good or bad, he would divide his last loaf and meat with the stranger. It was this unbounded liberality on his part that gave him in after years such a hold upon the hearts of all the old settlers of his county. Many a time has the author of this article, with wearied thoughts and tired limbs, struck his clearing and his cabin only to find that generous welcome which ripened into a lifelong friendship, terminated only by his death. In 1839 he married Miss Mary D. Cottle, a lady of culture, education and refinement, and his equal in liberality and hospitality.

Here upon his farm they raised a family of eight children, five of whom are still living. Two of these, R. E. and T. G. Price, now reside in Elkader, another son is now the postmaster at Colorado Springs, Colo., and still another resides in San Jose, California. One of his sons fell at the battle of Tupello, and another son, a Major of the Eighth

Iowa Cavalry, was wounded at the battle of Fort Donelson and afterwards died of his wounds.

His amiable wife died in 1865 and he never married again, but with his youngest daughter, who still lives in Colorado, he kept the younger portion of his household together to the last.

During his long residence of thirty-eight years in our county he always took an active and prominent part in State and county politics, and in the management and organization of parties he had no peer in the State of Iowa.

In early times he was an ardent Whig, but upon the repeal of the Missouri compromise he threw his whole soul and action into the Republican party, and was among the very first, with voice and pen, to arouse the people against the strides and encroachments of the slaveholder. When the Rebellion broke out he took an active part in the organization of military companies, encouraged his sons to draw the sword, and from the beginning to the end of the great war his voice and pen were never idle in the cause of the Union.

No one in the State in a civil capacity did more, no one could do more than he did in the cause of the Union, and his speeches and writings at the time were models of learning, ability and oratory.

When he was well and himself he was a natural born orator, and this gift, added to his tall and graceful form, gave him at all times the full command of his audience. At one moment he could convulse that audience into boisterous laughter, and in the next arouse them into expressions of the most frenzied passion, and in a moment more they were again in the region of the clouds, where fancy was unrestrained, and where they had the option of basking in the sunshine unharmed by the whirlwind's roar, or with the thunderbolt leaping down to earth again, laughing at one of his sallies of wit, or lighting perhaps, in the mire and filth of accumulated dirt, only to curse themselves for having spent an hour listening to such a consummate juggler.

A lifelong complaint caused him to renounce public speaking, and he resorted to his pen, and if we only take into consideration his subjects, his themes, his racy, chaste and mu-

sical style, together with his remarkable ingenuity of spinning all his facts and fancies into a common thread, he had no equal in the civilized world.

In literature he was a prince in the art of humbugging, and was more a master of this art than any juggler or showman who has appeared before the public for the last three hundred years.

He could stand upon the Rocky mountains, fifteen thousand feet above the level of the sea, and with his pencil and paper humbug a world; and, when he saw his infernal rat story published for truth in all the leading journals of America, illustrated in Police Gazettes, translated into foreign languages, and hawked about by the newsboys on the streets of London, Paris, St. Petersburg and Berlin, he sat down and laughed himself sick over the ease with which he could gull and tempt the cupidity of mankind.

It will be remembered that the story related how the rats had attacked, killed and eaten up the infant child of Sergeant O'Keef, belonging to the signal station on the summit of Pike's Peak, and when it was published and illustrated in pictures many a tender mother, and many an innocent child throughout the reading world shed sympathetic tears over the horrible miseries of that little child as the infernal rats were tearing the quivering flesh from its bones. Scientists, too, in every part of the world, took up the subject and discussed the question whether rodents in such numbers could possibly exist in such an altitude above the sea, and the question has not yet been settled, for but few persons know to this day that the whole story is without the first shadow of truth.

He next tried himself on the subject of the "Connecting Link," and knowing the interest I had taken on the subject of "Prehistoric Man," he held out to me the most tempting bait, intimating to a mutual friend that I would be the first man in America to bite; but as that friend knows full well, I smelt the rat before I had finished the story.

He began his *Sketches of Northern Iowa* in an early day and continued them down to his departure to Colorado in 1872. These sketches were published by the Historical Society of Iowa in a periodical called *The Annals of Iowa*, and will be

read and reread by the lovers of history and romance while the English language is spoken upon this continent.

He was for many years the vice-president of this society, and through his knowledge of this great valley, his general acquaintance with the early settlers, his intimacy with all the Indian tribes of the northwest, together with his experience in public life, he was enabled to collect and preserve for that society a vast fund of information and historical facts that without him would have been lost forever. He was also the author of the thrilling and interesting story called *The Indian Runner*, a story that twenty-five years ago went the rounds of the American press and was translated into foreign languages and published in all the leading journals of Europe.

In 1845 he wrote and published the thrilling and melancholy story of *The Mysterious Grave*, founded upon no fact whatever, and because the statement that these words: "Erin, an exile, bequeathes thee his blessing," were found in the grave, the story was copied into Irish papers and many a poor Irish mother wept over it as perhaps the grave of a lost and wandering son.

But perhaps his most successful story, one that called forth the greatest and most numerous encomiums, and one that was read at every camp-fire in the army, and in every cottage wherever the English language was spoken, is *The Drummer Boy*. It was first published in *The Chicago Daily Tribune*, and for tenderness of expression, for ingenuity of theme, for elegance of style and diction, for converting the ideal into reality, for chaining the reader's attention and calling from him emotions of sympathy and patriotism, for the ease of deception and for its perfect and consummate delusion, it is his masterpiece. No one doubted but that the story was true and the poor little "Drummer Boy," like Charlie Ross, was found in every village and hamlet in the land.

No story of modern times ever had a wider circulation, or was ever read with deeper or more sympathetic interest, and like *Pilgrim's Progress*, *The Vicar of Wakefield* and *The Deserted Village*, it will be read around the hearthstone of domestic tranquility, when its anonymous author is forgotten.

Saxe, the poet, traced out the author, complimented him highly and converted the story into one of his finest poems.

During his long and active life in our midst he was a constant contributor to the columns of the *Miners' Express*, *Dubuque Tribune*, *Dubuque Herald*, *Lansing Mirror*, and other papers of Iowa, and in all of these articles can be seen the same racy, chaste and elegant style of composition and thought that place him above any other writer of his day.

He took an active part in the organization of Clayton county, and held the first justice court within its limits. He was the first clerk of the Board of Clayton County Commissioners, was elected the first School Fund Commissioner and served one term as a Judge of Probate.

In 1850 he took the United States census of the counties of Clayton, Fayette, Winneshiek and Allamakee.

In 1850 he was elected from the counties of Clayton, Fayette, Winneshiek and Allamakee to the State legislature, and it was at this session that he brought himself into notice as one of the most skillful and sagacious politicians of the State. He took an active part in this Legislature, in the organization of the school system of the State, and to his actions and suggestions are we to-day indebted for some of our best laws relating to schools.

For many successive terms he was elected Governor of the Lobby, and that body received from him an annual message, that for keen wit and withering sarcasm has never been excelled.

In 1852 he was appointed by President Fillmore as Receiver of the Land Office at Des Moines, and held the office during that administration.

In 1855 he was elected Judge of the County Court of Clayton county, and held the office for two years. During his term in this office he resurveyed the roads of the county, established guide-posts and mile-posts along them; remodeled the county records and gave names to the streams and townships.

When his term expired he had the satisfaction of seeing his county's records and her finances established on a safe and permanent basis, to become a foundation for those who followed him for all time. He left every official position that

he ever occupied with clean hands and with a reputation for honesty, capability and fairness.

In the fall of 1864 he followed the brave General Hatch through all his military raids in Mississippi, and was an eyewitness of all the battles and skirmishes this general had with the rebel general, Forrest.

He was for many years the President of the Old Settlers and Pioneers' Association of the county, organized the first meeting and delivered before it one of the finest and most eloquent speeches of his lifetime.

Long before any railroad had reached any part of the great west, he called the people of the county together at a mass meeting in Guttenberg to discuss the propriety of giving aid to a railroad from the Atlantic to the Pacific, and in his opening speech before that meeting he declared with the most prophetic vision that he would live to see Clayton county checkered with railroads and this he accomplished with some years to spare.

Shortly after this meeting he made another speech to a few of the old settlers at Littleport, in which he said, "There are men in this audience, as well as myself, who will live to see a railroad passing up the Volga." and after the road up this stream was completed he wrote to the author of this article from Colorado, saying in reference to it, "My dream is fulfilled, my prophecy has come to pass, and my mission will soon be ended, but Clayton county, hail!"

One can hardly realize that that giant form that towered among us so long, that mingled in all our conventions, railroad meetings, county seat courts, balls, parties and routs, is gone forever, and that his voice and pen, which once stirred the thoughts and hearts of thousands, are now silent forever.

For fine, interesting conversational powers he had no equal in the State of Iowa, and it was at all times a rich treat to spend a few hours in his company. Never vulgar, always temperate, his language flowed with the same easy, elegant and poetical style of his compositions.

He could tell and embellish a good anecdote, sing a good song, convulse a crowd with merriment and laughter over any subject, and when one had left his company and pondered a

moment over the interview, the wonder was why his absurdities were not discovered while you were still in his presence.

Kind, courteous and social to all, whether rich or poor, his sympathies were aroused to the highest pitch at distress and sorrow, and he was at your service, while his money flowed like water. The priest and the layman, the tramp and the trader, the lawyer and the farmer, the rich and the poor, all found a home and a resting-place at his house and a seat at his table.

Ill health at last forced him to take refuge in the Rocky mountains, and in the year 1872 he sold his homestead, took the younger members of the family and departed for Colorado, leaving behind him the scenes of his early triumphs, exploits, association and hardships, upon which his eyes were never to rest again.

In Colorado he began the same career which characterized him in his early days in Clayton county, and with the vigor of his youth he visited the camps of her miners, ascended her highest mountains, looked down upon her wide-spread plains and with his voice and pen contributed to her greatness and her resources.

But old age and disease were fast destroying his stalwart frame, and when the fatal hour had come his death was like the blowing out of a candle.

Such are some of the leading acts and events of his long and useful life, and if I have not done him justice let an indulgent public attribute the fault to a want of ability on my part to do more, and may the ashes of my old and valued friend rest in peace.

WOLVES.—Prairie wolves are very plenty this winter, and seem to be in first rate condition. Mr. Wells, of this town, trapped a big one a short time ago, which measured five feet three inches from the tip of his tail to the end of his nose. They may occasionally exceed that size, but we believe this one is voted a "right smart" wolf.—*Hamilton Freeman*.—*St. Charles City Intelligencer*, February 28, 1861.

AT LINCOLN'S FIRST INAUGURATION.

BY CHARLES ALDRICH. .

Considering the season of the year, and the means of reaching the end of the railroad, it was a long journey from Webster City, Iowa, to Washington, D. C., in that stormy February of 1861. There were two methods of reaching the railroad, which was a little over a hundred miles distant, either by the Western Stage Company's vehicles, or by private conveyance. Under the circumstances I chose the former. In the pleasant summer time the Western Stage Company ran a two-horse coach from the end of the Dubuque and Sioux City railroad (now a part of the Illinois Central system), to Ft. Dodge. But when the snows were deep they used a common two-horse sleigh, and sometimes a "jumper" or "pung." When the mud was deep in the summer a common lumber-wagon sufficed to carry the passengers and the mails. These old wagons had a wonderful proclivity for getting stuck in sloughs, and it was often jocularly advised that each passenger should provide himself with a fence-rail in order to pry out the wagons when the good horses could not pull them through. It may be well to state right here that the Western Stage Company's pioneer manager was Thomas McChesney, who had long been in their employ on the lines in our section of the State. He was a man of energy, sometimes a little emphatic in his use of language, but thoroughly informed as to every detail of the work under his charge. He knew the drivers, and most of the horses, and looked after the various properties of the Western Stage Company with an eye single to the interests of his employers. Many times he came through our way ahead of the mails, and when stopping at the stage stations became a sort of oracle, giving the people all the news that was afloat at the end of the railroad. In this way he was

a very popular man, and deserved his popularity for his genial nature and efficiency as a manager.

About the middle of February I made an arrangement with him for a seat in his sleigh, which was to pass Webster City about that time. In those old snow-storm days you could not always rely upon promptness in this mode of transportation. I remember distinctly the pleasant morning when the sleigh arrived, stopping for me in front of the old Town Hall, which disappeared more than thirty years ago. The morning was mild and pleasant, and the sleighing simply superb. For fellow passengers there were Capt. Charles B. Richards, a long time resident of Ft. Dodge, with his wife and little son, Charles, now a leading business man of San Diego, Cal. There was just one vacant seat, and when I looked to see who occupied it, I found that I was "booked" to sit beside A. S. White, editor and publisher of *The Sentinel* at Ft. Dodge. The preceding year had been one in which political feeling ran high. White and I had had some very forcible discussions, and were not indulging in the kindest feeling for each other. In fact, we had not spoken together for six months. But there was no alternative, I had to take my seat by his side. We each attempted to say "good morning," but I am of the opinion that it was a mumble, rather than any distinct enunciation. For many a mile we were simply coldly respectful towards each other. But happily we both thawed out by degrees, and entirely forgot our political troubles. East of Webster City about a dozen miles was the first stage station, where a town had been laid out and christened "Hawley." It was supposed to have been located on the railroad, but the line was finally established a couple of miles south, and "Hawley" never rose above the dignity of a "stake town." At the present time it has no place on the local maps.

We traveled merrily along without any incident that I can now recall, until we reached a point in the Beaver Valley some twenty miles west of Cedar Falls. We there put up at the stage station, which was kept by a jolly old farmer by the name of Peek. We had a very pleasant evening and the night closed in with every prospect that we could get an early start the next morning. But when daylight came a howling blizzard was wildly careering over the prairies, rendering travel

both difficult and dangerous. We had no choice but to remain there the next two days. We amused ourselves by playing euchre, parching corn by the open fireplace, and reading such antiquated literature as we found lying about the house. I think it was the third morning that we were able to leave, and slowly make our way through the snow-drifts to Cedar Falls. From there to the end of the railroad, which I believe was at Manchester, the roads were well broken, and we glided along in very satisfactory style. I give my own recollection, but on recently meeting Captain Richards, at San Diego, Cal., he insisted that owing to the snowed-up condition of the railroad, we continued by stage to Dubuque. But recollections will vary, like our watches, after the lapse of nearly fifty years. The only incident, however, that I recall was the upsetting of the sleigh and the dumping of all the passengers in a heap together. No one sustained any injuries, for we alighted in a snowbank, from which we soon extracted ourselves and went ahead.

From the time we reached the railroad until we arrived at Washington City I have little recollection of the remainder of the journey. I think it must have been pleasant, for we had a jolly company, and we were full of ambition to witness the inauguration of Mr. Lincoln, which was to take place on the 4th of March. I cannot now recall the number of days we were in Washington preceding the inauguration, but probably five or six. I remember that I experienced a profound feeling of disgust when I contemplated the great number of office-seekers who had crowded into Washington at this time. It was doubtful whether we had a country or not, but that seemed to make no difference with men who wanted consulships, Indian agencies, postmasterships, and almost anything else in the gift of the appointing power. A friend of mine at Ft. Dodge was very anxious to secure an Indian agency, and begged me to say some good words for him to our delegation in Congress. I carried out my promise to him, but he failed in securing the appointment.

The days dragged along slowly, but finally the 4th of March dawned upon the Federal City, and everyone was bestirring himself in preparation for the great event of the century. I had secured a ticket with which I could obtain admission to

the Capitol building and possibly a seat in the gallery of the United States Senate Chamber, where some of the proceedings were to take place. I preferred, however, to join the crowd outside, in the hope that I could get close enough to the stand to hear the great Inaugural Address. At that time very little had been done in the way of decorating the grounds on the east front of the Capitol. Across the street from the northeast entrance there still stood a high board fence. These boards were set up on end, and were far from being a graceful addendum to the landscape. The platform had been erected about half way up the northeast steps, and extended in the direction of the street. There was a multiplicity of seats provided for such people as could gain admittance. At the outer edge of the platform a wide board was set up on its edge, and formed the back of the seat from which the occupant could face the President while he was speaking. Stephen A. Douglas sat at the south end of this front row of seats, occupying a place in the corner. For myself I had heard him speak in the United States Senate and in Tammany Hall, New York City, and was quite familiar with his appearance. I went across the street a distance of ten or twelve rods and selected standing-room with my back against one of those tall boards. The area in front of this northeast corner of the Capitol was filled with spectators to the number of many thousands. It was described by the reporters as "a sea of upturned faces." Just before the appearance of Mr. Lincoln, a file of soldiers, doubtless regulars, came into the area, and marched along in front of the platform, slowly making their way through the crowd. From where I stood I could see their bayonets above the heads of the people. There was at that time very serious apprehension that the President might be shot when he appeared to make his address, but this small company of men was all that was in sight in the way of defense. It was quietly understood, however, that several hundred men were scattered through the crowd armed with revolvers. Had any hostile hand been raised against the President its owner would very speedily have bitten the dust. It was a very solemn and almost gloomy time, because there was a universal consciousness that we were just on the outbreak of war.

However, the assembled multitude had not long to wait before President Lincoln appeared, walking alone through the door that led to the portico outside of the Senate Chamber. He walked quickly down the steps to the front of the platform. Removing his hat he looked around for some place to dispose of it. From where I stood I plainly saw Stephen A. Douglas reach for the hat and the President yielded it to him. It was stated afterwards in the papers that Mr. Douglas quietly remarked: "Mr. President, I will take your hat." Some of the newspaper people who were sadly lacking in reverence stated that "Mr. Douglas could not be President himself, but that he held the hat of the man who was." The next movement on the part of Mr. Lincoln was thrusting his hand into his right breeches pocket and taking out a steel spectacle case. He opened this with a snap and drew out a pair of spectacles, which he instantly placed before his eyes. At that time he could not make a movement, however slight, which did not elicit rounds of applause. When he removed his hat, when he put on his glasses, and when he restored the steel case to his pocket, there were loud cheers. He took his place at a table which had been conveniently placed, and drew out the manuscript of his inaugural address. The first words he uttered were—"Fellow citizens of the United States!" It seemed to everybody who heard him that he dwelt upon and emphasized the word "united." At all events, his expression was greeted with loud cheers. From this time until the close of his address his auditors were loud in their applause. I never listened to a speaker whose enunciation was so clear and distinct as that of Mr. Lincoln. You not only heard every word that he uttered, but every sentence was most clearly expressed. I believe his voice was perfectly audible to every one of the people who occupied the acres before and around him. At the close of his address he was greeted with deafening cheers, which seemed to carry with them an expression of highest confidence in the President.

When he concluded he stepped to one side of the table upon which lay an apparently well-worn copy of the Bible. The oath of office was administered by Chief Justice Taney—the President kissing the Bible—after which the people who oc-

cupied the platform and steps arose and slowly filed into the Capitol. The address was already printed and was at once upon the streets. I know that it was as profoundly satisfying to the people present, as it was to the loyal people of the whole country.

During the remainder of that day it was quietly noised about among the Iowa politicians that the President would receive them in the East Room of the White House on the next afternoon. At that time there were sixty or seventy gentlemen from our State who had come to be present at the inauguration of Abraham Lincoln. We were all introduced to the President by Hon. Josiah B. Grinnell, who seemed to know everybody from our State and was well acquainted with the President also. This presentation went off quite rapidly; in fact, it was very formal. The President pronounced our names as he took each by the hand and we speedily passed on with those who had gone before. Just ahead of me was a gentleman by the name of George May, who was a well-known pioneer of Marion county. In his boyhood he had known Mr. Lincoln, but he did not expect any recognition on that account. Mr. Lincoln, however, shook his hand and allowed him to pass along. when he turned around, and taking one of his long strides, put his hand upon Mr. May's shoulder and turned him about. "Are you George May, the son of my old friend, ——— May?" George merely bowed an affirmative assent to this inquiry, but Mr. Lincoln detained him a few seconds, during which time he showered him with a whole lot of questions. "When did you come down, George? How long do you expect to remain? Come around here again before you leave. I want to have a visit with you." George blushed like a modest girl and passed on. The politicians who were present and witnessed this little episode were in accord upon the proposition that George May would get whatever he asked for. After the reception was over we were received by Mrs. Lincoln. I believe that we were also presented by Mr. Grinnell. She merely bowed as each name was announced, and that part of the reception was speedily over.

A day or two after the events last recited the Iowa politicians were accorded a reception by Gen. Winfield Scott. Everybody who has read American history knows that he was the hero of the war in Canada during the last unpleasantness between this country and Great Britain. He was also sent to Mexico to supersede General Taylor, through some misapprehension in the politics of that period. Old Zach Taylor was doing well enough, and the American people requited his disappointment in being removed from command in Mexico by making him President of the United States. But all this did not detract from the great soldierly merits of General Scott. I cannot now recall the place where we found him. It seems to me, however, that it was at some point a block or two northeast of the Capitol grounds, but about this I am not certain. He had been apprised that we were coming and received us very cordially. The old man was dressed in a simple morning gown of some cheap material like quite ordinary calico. He bore the marks of extreme old age. His eye was bleared and the skin on his face and hands was much discolored, as we occasionally see it in aged people. He stood firmly on his feet as we were presented to him, and took each of us cordially by the hand. I had a great admiration for his past career as a soldier and was proud of the opportunity to meet him. He was then in chief command of the loyal armies of the country, and seemed to be our sole dependence so far as military ability was concerned. But as a support in such a time of need I could not repress the feeling that he was a very frail one. Not long after this, however, Congress passed a law which placed him on the retired list. He lived some years afterwards and took deep interest in the success of the northern armies. His occasional addresses were all on the side of loyalty and devotion to the Union.

It has always been a matter of great gratification to me that I was able to see the illustrious President, as I did on those two occasions, and the great General who had won undying fame upon bloody fields in Canada and Mexico.

I spent the evening of the third of March in the Gallery of the United States Senate. Seated at my left was Captain

Richards, and on my right Mr. Grinnell. We heard disloyal speeches by Wigfall of Texas, and Joseph Lane of Oregon, and a marvelous address by Andrew Johnson of Tennessee. It was this great address which commended Andrew Johnson so warmly to the people of the north, and four years later made him Vice-President of the United States.

FAST DAY IN IOWA.

Proclamation: Whereas, the past Winter has been one of special trial and destitution to many of our people, on account of which we should humble ourselves before Him who directs us in ways and to ends unseen by human wisdom, according to His own pleasure; and whereas abstinence from food, accompanied with religious humiliation and the prayer of faith, in seasons of public distress, are recorded among the general duties of all Christian communities, I, therefore, would respectfully recommend Friday, the 22d day of April next, to be observed by all the people of this State as a day of fasting, humiliation and prayer, that thereby we may propitiate a kindlier providence and "be fed once more with the heritage of Jacob."

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Iowa. Done
L. S. at Des Moines this 28th day of March, A. D. 1859,
and of the Independence of the United States the
84th, and of this State the 13th.

By the Governor, RALPH P. LOWE.

Elijah Sells, Secretary of State.

St. Charles City Intelligencer, April 14, 1859.

PRAIRIE FIRES are now raging in this vicinity, and each evening, as they are fanned by the night breeze, the flames blaze forth in every direction, lighting up the whole heavens with a lurid glare and giving them an aspect at once beautiful and sublime.—*St. Charles City Intelligencer, March 3, 1859.*

THE DARTMOUTH COLLEGE CASE.

BY JUDGE W. F. BRANNAN.

William H. Woodward was the father of Judge William G. Woodward, and was, I am told, so highly esteemed by the community that at his untimely death a meeting of the citizens in commemoration of the public service he had rendered was held. He obtained historic fame by the firm attitude he maintained in the celebrated Dartmouth College case. He was made the sole defendant in that suit, but to understand how he happened to be so placed in that case it is necessary to set forth the facts that led to the controversy. The Rev. Dr. Eleazer Wheelock was the founder of that college under a royal charter granted by King George III. in December, 1769. The charter made the college a corporate body, and among other provisions it set forth the following: First, that it should be perpetual, and, secondly, that it should be governed by a board of trustees not to exceed twelve in number, and it named the institution, Dartmouth College. It may be added that it provided that any vacancy in the board of trustees should be supplied by the remaining trustees.

Doctor Wheelock had originally opened a school on his own premises and at his own expense for the education of Indian children. One of his pupils was a young Mohegan Indian named Samson Occom, who became a remarkable Christian preacher among his race. Some years after Mr. Wheelock concluded to take into his school white as well as Indian children. Success attended his efforts when this addition was made to the school. He finally concluded to enlarge his field of education by establishing a college for the education of both white and Indian children. Dr. Wheelock was a man of great energy and perseverance, and he dispatched Rev. Mr. Whitaker, with full power of attorney to London, who took with him the Indian, Occom, to solicit aid for the con-

templated college. They met with great success and ten thousand pounds were subscribed. The presence of Occom contributed not a little to the interest in promoting the purpose of their errand. He was at first an object of curiosity, but when he was found to be a young man of pleasant manners, well versed in the English language, and very intelligent, a high opinion was formed of his capacity.

The charter was the work of Mr. Wheelock and prepared by him with great care, and intended to be perpetual without change of any kind. The college was established from the aid furnished both at home and abroad, and was eventually put in a flourishing condition. Nearly fifty years had passed without a breath of discontentment at any provision in its charter. In 1816 the Legislature of New Hampshire commenced its work of altering the charter and passed several acts with that object in view. The changes that the Legislature undertook to make may be briefly summed up: First, it passed an act by which the number of trustees, which the charter had in express terms declared should never be more than twelve, was increased by adding nine new trustees, thus making the board of trustees to consist of twenty-one members. It next passed an act creating a board of twenty-five overseers, to act as a board of control, which could annul any proceeding undertaken by the board of trustees, thus making the trustees subject to the power of the overseers. It changed the name of the institution from Dartmouth College to Dartmouth University. These changes met with fierce resistance in the Legislature and were adopted by small majorities. The changes which the Legislature thus assumed to make were obnoxious to a very large portion of the leading citizens of the State.

There was no warrant in the charter for the creation of the board of overseers, nor does it appear that there had been any irregularities in the actions of the trustees, either of commission or omission.

William H. Woodward was a direct lineal descendant of Dr. Wheelock. He was secretary and treasurer of the college and the custodian of its records and papers. His blood rose to the boiling point at this legislation. He regarded it

as foul sacrilege to the memory of the great and good man, who had founded the college, and who, in the charter he had prepared, had so provided by restrictive measures that to go beyond would violate both its letter and spirit. He refused to recognize the authority assumed by the change made or surrender the trusts reposed in him.

The twelve trustees refused to co-operate with the nine new ones sought to be added to their number, or to yield obedience to, or respect for the supervisory powers, sought to be conferred on the board of overseers. The nine new trustees were appointed by the governor and council, and the board of overseers were also appointed by the same authority, except four, one of whom was the governor, and three others who held certain public offices, who were made members *ex officio*.

Public sentiment was so strong and so widely divided that it was resolved to settle the trouble by invoking judicial action. Suit was accordingly brought in the State Supreme Court, and the title given to it was as follows: "Trustees of Dartmouth College vs. William H. Woodward." This title apparently implied that Mr. Woodward was favorable to the legislative action which, as I have understood, was not the truth. He was holding certain offices under the college which have been mentioned and to hasten and simplify the suit it was agreed that Mr. Woodward should be made the defendant, free from the payment of costs, attorney's fees, and any other expenses. The record does not say this, but that was the agreement between the parties, as I have understood. The case was first tried in the State Court, the judges of the Supreme Court presiding, and a judgment returned holding that the legislation complained of was within the constitutional powers of the Legislature and valid. An appeal was taken to the Supreme Court of the United States.

The Federal constitution contains this clause, adopted at the time the constitution was originally framed, viz.: "No State shall pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts." The contest in the case grew out of the portion which prohibits any State from passing any law impairing the obligations of contracts. It was claimed by those supporting the legislation in question

that the prohibition referred to was one that had a pecuniary basis, and could only apply and was intended to apply to transactions arising out of business dealings, and hence did not include charters of an eleemosynary character, or a charity, or the like. They further argued that the charter in question was a grant from a British king while New Hampshire was a British dominion and part of the British Empire, and when the United States secured its independence and became an independent nation, the State of New Hampshire acquired sovereignty over Dartmouth College. The constitution of that State manifested its desire to promote literature, learning and education, and it therefore had power to pass the amendments to the charter of Dartmouth College, which in no manner interfered with its educational objects and duties, or lessened its interest in promoting scholarship.

Daniel Webster and his colleague took the ground that the charter of Dartmouth College was in law a contract, and that the changes made by legislation impaired the obligations of the contract, and that such legislation violated the national constitution, and was consequently void and of no effect.

The case came up for argument in the Supreme Court of the United States on the 10th day of March, 1818. It was a new question and excited much interest in the eastern states. Mr. Webster and Mr. Hopkinson appeared for the appellant and Mr. Holmes and William Wirt, attorney-general for the United States, appeared for the other side. The attorneys were all able men and in the arguments all put forth their best efforts. The arguments lasted for more than a week, and at the conclusion, the court continued the case for advisement. At the second day of the February term, 1819, the judgment of the court was pronounced by Chief Justice Marshall, and was concurred in by all the judges, except Justice Duvall, who does not appear to have filed an opinion. He must simply have said, "Mr. Clerk, enter my name as dissenting."

I do not deem it necessary to go to any length in detailing the reasons Chief Justice Marshall assigned for the judgment he pronounced. It presented new questions that had never

been touched before this suit was brought. A legislative body composed, it must be assumed, of fair-minded men, after strong debate, had sanctioned by their votes the passage of the acts in question, the highest tribunal of the State, after argument before it, had declared their legislative acts to be in accord with the existing law. These circumstances, as the Chief Justice substantially said, all had their influence in requiring the whole court to give grave study and deep thought to the questions involved before reaching a conclusion. The opinion he prepared had all the marks of great care and anxious consideration, since every point in the case is shown to have been earnestly examined and critically weighed.

The opinion commences by a reference to the amendments made to the charter of the college by the Legislature of New Hampshire, and the refusal of the majority of the trustees to accept these amendments, which gave rise to the suit brought by and in the name of the college. It then says that it requires no arguments to prove that the circumstances of the case constituted a contract, and that in this transaction every ingredient of a legitimate and complete contract is to be found. It next says the points for consideration are:

1. Is this contract protected by the constitution of the United States?

2. Is it impaired by the acts under which the defendant holds?

The opinion answers both these questions in the affirmative, and held the legislation in dispute void and of no effect.

This decision has admonished State legislatures to keep within the bounds prescribed by the Federal constitution, and to tear down the veil behind which the obligations impairing the sanctity of contracts are sought to be hidden by crafty individuals.

Justices Bushrod Washington and Joseph Story both drew up separate opinions in the case, which were filed and read by them after the Chief Justice concluded. There was no conflict between them and the Chief Justice. Bushrod Washington was a nephew of George Washington, and had the clear mind and sound judgment that distinguished his revered uncle.

Timothy Farrar was one of the twelve trustees, and when the litigation had come to a final end, he published a book in which was narrated the proceedings in both the State and Federal courts, together with full arguments of counsel in both courts, and the full findings of the judges in both of the courts. The book met with a great sale, for the case had attracted much attention among the lawyers and the library of nearly every attorney, except those south of Virginia, had a copy of it.

Muscatine, Iowa.

MORMONS COMING: We are informed that a Mormon Elder has been in this city, and made arrangements with H. W. Love to have between 50 and 100 hand-carts made as soon as possible, to be used in crossing the plains the coming summer. Between three and four thousand of the faithful followers of Prince Brigham are expected here between the 1st and 10th of next month. They purchase their wagons in Chicago, but they are to come here and lay in a stock of provisions, and the necessary outfit for the trip. The Mormons are mostly English, Welsh and Danes, and will most probably go better prepared to endure the hardships of the journey than did those who went out in the summer of 1856.—*Iowa City Republican*. From *St. Charles City Intelligencer*, May 19, 1859.

THE NEW STEAMER, "Demoine City," arrived at Des Moines a few days since, with a full load of freight and several passengers. She was built at Pittsburg, expressly for the Des Moines river trade, and is the best boat we have yet seen on the river, although not quite equal in cabin capacity to the *Flora Temple*. Our citizens greeted with pleasure a boat that bears the name of their city, and large numbers visited her during her stay in port. Gov. Lowe and J. B. Stewart, Esq., were among her passengers down the river.—*Citizen*.—From *St. Charles City Intelligencer*, May 12, 1859.

THE BLOTTING OUT OF AN IOWA TOWN.

BY THE LATE CAPT. S. B. EVANS.

“*Aqui fue Grenada!*” This was the terribly suggestive legend inscribed on bulls’ hides and erected on the ruins of the city destroyed by the rough riders of William Walker, the gray-eyed man of destiny, during the invasion of Nicaragua by the filibusters. Yet there were ruins of Grenada to mark the spot and to invite the rebuilding of another city greater than the one that had perished through the calamities of war. There was an Iowa town, however, that at one time was of considerable importance and now there is not a vestige of it remaining. There is nothing to identify the site except tradition and the records that confine its limits within certain boundaries. There are no remains; no foundation walls; no more to mark the site than if it had been but an Indian village of wickiups. The town was known as Iowaville, situated on the borders of Van Buren and Davis counties. If its location is to be preserved it is well that its site be recorded in *The Annals*, and that there be set up a tablet of stone on which may be inscribed, “Here was Iowaville!”

The village of Iowaville was laid out by a company in 1838. The Sac and Fox Indians had sold 1,250,000 acres of land in this vicinity and reserved two years’ time on the land, after which James Jordan, William Phelps and John Tolman bought the Indians’ time for \$3,000. The sale of time was made in the fall of 1837; in 1838 the Indians vacated and in the spring of that year the place known as Iowaville was laid off. Black Hawk and a few Indians remained. Phelps and Jordan were the earliest settlers, they having come in the fall of 1837. Jordan had the first trading-post. The next settlers to arrive were Joel T. Avery, John Newport, Job Carter and Crittenden Forquraen, and their families, and Peter Avery, William Avery and William McMullen, unmarried.

William Avery was the first postmaster, the mail being brought in on horseback. Lanson Smith, who came later, was the first physician. The first blacksmith was Robert Rathbun. The first boat up the river as far as this point was the "Pavilion," belonging to the American Fur Company. This boat arrived in 1838. The death of Daniel McMullen was the first in the place. Minerva Forquraen was the first child born. Thomas Gardner and Sevida Moody were the first couple married. William Avery was the first justice and William Kirkman the first constable. Missionaries preached here, but there was never a church building erected. A schoolhouse was built in 1843 and a Mr. Clark was the first teacher. From Hon. Robert Sloan, who in his early years was a school-teacher in Iowaville, I get the following: William and Peter Avery made their first appearance in the region in 1832; they were agents of the American Fur Company and established a trading-post on the river opposite the site of Iowaville; building a blockhouse there for protection. They continued this trading-post until the year 1842, when the new purchase was open. The Indians removed as far away as Monroe county and spent a winter there, on a creek that has since been known as Avery Creek. The Avery brothers removed with the Indians that winter and went with them to Indian Territory. James Jordan, who is so prominently identified with Iowaville, came to Iowa or Wisconsin Territory in 1819, first stopping at St. Francisville, Missouri.

Black Hawk's residence was on the Des Moines river and opposite Iowaville. The little town of Black Hawk was situated there and it was there that A. J. Davis had his famous distillery which was the foundation of the fortune that his heirs fought over several years ago in Montana. In 1851 there was high water until the water covered the prairie in the locality of Iowaville. The river was about three miles wide. The north and south line of the Black Hawk purchase ran through the town. Iowaville flourished in 1855-56, but subsequently the D. V. railroad was established and it began to go down. In 1870 the town of Eldon sprang up and Iowaville disappeared. Until the year 1860 the council ring of Black Hawk was preserved at the western boundary of Iowa.

ville, about three blocks from the river. The diameter was 40x70 feet, egg or oval shape, thrown up on the outer diameter about one foot. There were two entrances; one was the head of the council ring, where sat the chief.

Iowaville was situated on that part of the west side of section 7 lying north of the river—a small part of section 7 is south of the river on which the town of Black Hawk was located. The western line of Black Hawk and Iowaville is the western line of that section. The old ferry was immediately across the line and in Davis county.

The decadence of Iowaville was gradual; it never numbered more than 200 population, yet there were men of mark connected with its history. Among these ought to be numbered Hon. Henry Clay Caldwell, the distinguished federal jurist; Hon. Robert Sloan, the honest and able Iowa jurist; James Jordan, the Indian trader, and A. J. Davis.

Iowaville is blotted out entirely; the site is occupied by the corn fields of Capt. Abraham Hinkle, who married one of the daughters of James Jordan. It would be a gracious act on the part of the State to secure a few feet of ground in the center of the old site and erect there an enduring monument on which should be inscribed: "Here was Iowaville."

OTTUMWA, IOWA.

THE MORMON DELUSION: The Fort Desmoines (Iowa) papers give some details of the passage of a band of Mormon emigrants through that place a few days since. In the broiling sun, these poor creatures, the majority of whom are women, moved along slowly in Indian file, dragging behind them in little carts the necessities for the journey, sometimes two women dragging the cart, at other times a man and a woman together. The company was from Europe, and mostly consisted of English people, who had left their comfortable homes, their early associations, and all the attachments which render the English people such unwilling emigrants, and here, with a journey of more than a thousand miles before them, of which 200 would be through a perfect desert, without shade or water, these miserably-deluded people were trudging forward.—*St. Charles City Intelligencer*, Sept. 18, 1856.

GENEALOGY IN THE CEMETERIES.

BY COL. G. W. CROSLY.

Among the many beautiful cemeteries in Iowa there are few that for beauty of location will surpass or equal the one so appropriately named Graceland at Webster City. The grounds, streets, alleys and lots are well cared for and it contains many beautiful and some costly monuments. In this respect, however, it does not differ much from a great many others, but it has occurred to the writer that in so far as the keeping of its records is concerned it deserves to be mentioned as an example to others that have not been so careful in this regard.

The cemetery is the property of the city. The records are kept at the City Hall in a large leather bound book entitled "Cemetery Lot and Grave Record, City of Webster City." This book contains: First, names indexed in alphabetical order of all persons buried in this cemetery, giving lot, division and block and location on lot. Second, plats of all blocks and lots in each section of the cemetery, showing names of persons buried, and the location of each grave upon lot; these plats also show shape and size of each lot. Third, a complete record of all soldiers of the War of the Rebellion and other wars buried in this cemetery, with the number of lot, division and block, company, regiment, State, arm of service to which they belonged and metal markers placed at each soldier's grave.

In addition to this a large plot of ground has been set apart for use on Memorial Day, shaded by fine trees and containing an open space in the center upon which stands a flagstaff. I may add that there is no place where Memorial Day is more faithfully and religiously observed than here. Many years ago the city authorities took charge of these exer-

cises, and each year the members of the local Grand Army Post and other old soldiers and the members of the Woman's Relief Corps are the honored guests of the city, the Grand Army Post conducting the services at the cemetery according to their ritual, but being relieved of all care as to looking after the details for the observance of the day, and all expense connected therewith. The local military company and the children of the public schools always participate in these exercises, and the business houses are closed.

The records above referred to were compiled by Levi Cottington, an old soldier, and the work of getting all the names and locating them involved long and patient effort and took over one year for its completion. The indexing, platting and drafting was done by Capt. Frank E. Landers, another old soldier, who has for long years been the voluntary keeper of the death record of old soldiers in Webster City and Hamilton county. To these two men is due the whole credit of making up and providing for the perpetual keeping up of these invaluable records. Each burial is promptly reported to the city clerk by the sexton and at once added to the record, so for all time it will be kept complete if faithful and capable men like those now occupying these positions succeed them.

Such a record will prove of value to collectors of genealogical facts and compilers of local history, necrology and biography, and to throw light on the general history of the town, county and State. It also appeals to the best and holiest sentiment of the human heart in keeping the dead in memory and is evidence of a high state of civilization in the community.

A TEN DOLLAR BILL on the State Bank of Iowa has just come into our hands for the first time. It is beautifully executed, and contains a good likeness of Gov. Lowe, a view of the State House at Des Moines, a map of Iowa with all the counties distinctly marked, a Train of Cars, Steamer, Agricultural Implements and Products, a Factory, picture of a pretty woman, and, better than all, it promises to be good for ten dollars.—*St. Charles City Intelligencer*, March 17, 1859.

ANNALS OF IOWA.

EDITORIAL DEPARTMENT

THE CELEBRATION OF THE FIFTIETH ANNIVERSARY OF THE ADOPTION OF THE CONSTITUTION OF THE STATE OF IOWA.

At Iowa City, the old capital of the State of Iowa, there was held from March 19 to March 22, 1907, a celebration of the fiftieth anniversary of the adoption of the Constitution of the State. The Thirty-first General Assembly made such a commemoration possible by appropriating \$750 for the purpose and placing the exercises under the auspices of The State Historical Society of Iowa. The event became a double celebration, for it marked also the fiftieth year of existence of The State Historical Society. At the same time and in the same historic building, the old stone Capitol at Iowa City, both the Society and the State Constitution came into existence, the one by act of the Sixth General Assembly meeting in the legislative halls upstairs, the other by the deliberations of the Convention of 1857, meeting in the Supreme Court room on the lower floor.

The committee of arrangements planned for a program of four days, consisting of addresses and conferences, in which not only men of prominence from Iowa but men of distinction from all over the country should participate. On Tuesday evening the meetings were opened by a lecture from Prof. Andrew C. McLaughlin of Chicago University, well known because of his historical writings. He spoke upon *A Written Constitution in Some of Its Historical Aspects* and outlined the lines along which written constitutions have developed. Prof. Eugene Wambaugh of the Harvard Law School delivered an address Wednesday evening upon *The Relation Between General History and the History of Law*. He discussed the history of law for the past two thousand years, showing the progress of the great

struggle between the Common Law of England and the Civil Law of Rome for supremacy, and paying tribute in closing to the Constitution of Iowa as an example of American efforts to put into written and permanent form the fundamental principles of right and just government.

Thursday was a day of conferences. In the morning was held a conference on the teaching of history. Members of the faculties of a number of the colleges of the State were present and read papers or took part in the discussions. Some of the subjects dealt with were the relation of history to economics, the best methods of teaching history, and the history of local institutions. A conference of historical societies was held in the afternoon, presided over by Dr. F. E. Horack of the State Historical Society of Iowa. The program was opened by the reading of a communication from Mr. Charles Aldrich of the Historical Department at Des Moines, who was unable to be present at the celebration. Then followed reports and discussions by delegates from nearly all of the local historical societies in the State. They showed enthusiastic work in all sections and indicated a growing appreciation of the valuable work that can be done by localities in preserving the sources of history. The number of such societies is yearly increasing, and their efficiency is growing in like degree. A short discussion by M. G. Wyer, librarian of the State University Library, on methods of preserving material closed the program for the afternoon. Thursday evening was given over to Dr. Reuben Gold Thwaites, superintendent of the greatest historical society in the west, the State Historical Society of Wisconsin. Dr. Thwaites' subject was *The Romance of Mississippi Valley History*. It was a topic of great interest and one with which the speaker was very familiar. He took the hearer back to the days when French explorers first appeared upon the waters of the great river. He pictured vividly the voyagers and trappers, the fur traders and adventurers whose songs were heard upon the rivers and streams as they came and went in the great valley. He showed how the settlers began to come in and cleared the

timber and set up their log cabins as forerunners of a future civilization. Scarcely can there be found in the extent of the continent a locality full of such romantic interest as the Valley of the Mississippi River.

On Friday morning Governor Cummins was present and introduced Judge Emlin McClain of the Supreme Court of Iowa, who delivered an address upon *The Constitutional Convention and the Issues Before It*. He told the story of the gathering of the thirty-six men at the old stone Capitol fifty years ago, and outlined their discussions of the provisions of the fundamental law. He showed that although elected on a party basis, the delegates did not conduct their proceedings in a partisan spirit, but met every issue in a spirit of fairness and decided it according to its merits. History has shown that they did their work well. Only four times has the Constitution been amended, and these changes have been in matters of detail rather than in principles of a general nature.

Friday's program closed the celebration. Perhaps the most unique feature of the exercises was the presence of three aged pioneers of the State, survivors from each of the three Constitutional Conventions. Three times in Iowa have delegates gathered together to frame a Constitution for the State. The first was in 1844, the second in 1846, and the third in 1857. All of these conventions met in the old stone Capitol in Iowa City. The members of the Convention of 1857 at the end of twenty-five years held a reunion in Des Moines at which twenty responded to the roll-call. But now that another twenty-five years has passed, they are no longer able to reunite, for as far as can be learned only one member is alive. John H. Peters, a lawyer from Manchester, had served in the Convention of 1857. He had been unable to attend the reunion of 1882, but when in 1907 the fiftieth anniversary of the Constitution he had helped to frame was being celebrated he appeared upon the scene. And although he was the only member from that convention, he found at Iowa City two men older than himself, who had come with like motives. One was J. Scott Richman of Muscatine, who

had served as a member of the Convention of 1846 which drafted the Constitution under which Iowa was admitted into the Union. The other was Samuel W. Durham, the only survivor of that oldest of all the conventions of Iowa, the Constitutional Convention of 1844. Tall in figure and clear of memory in spite of his ninety years, this pioneer settler told of the early days of the commonwealth. He said of J. Scott Richman, his colleague, as he called him, that in all his life, from the time he first knew him in 1840 down to the present time, he never made an enemy. All three men spoke at the luncheon Friday noon. They talked modestly of the conventions in which they had served, and told of men who have long since passed away—of Judge Charles Mason, and Joseph Williams and Thomas Wilson, the Judges who were appointed at the organization of the Territory of Iowa. It was J. Scott Richman in particular who remembered these men, for he had come to Iowa in 1839. The next year Samuel Durham reached the Territory, in the days when the first Governor was administering the government.

No one who attended the celebration will soon forget these three venerable figures. They came together, each one as the last of his group. It is perhaps safe to say that never again will the three gather together at a celebration, but though these pioneer constitution-makers must soon be beyond our ken, they have written their services into the enduring form of the fundamental law of the State of Iowa.

J. C. P.

THE CONSTITUTION OF 1857 AND THE PEOPLE.

The efficiency of laws or institutions, as of houses or shoes, is found largely, if not wholly, in the answers to the prosaic questions, "Are they comfortable and fit? Do they endure the wear and tear of life, and suffice?" If the people abide therewith contentedly, they then satisfy; at least the people so seem to think, and this is the important fact in an orderly society and a stable State.

On September 6, 1907, fifty years will have passed since Gov. James W. Grimes by proclamation declared the present Constitution of Iowa the supreme statute of this midland commonwealth. The instrument was drafted by thirty-six delegates who sat in convention in the old stone Capitol at Iowa City from January 19 to March 5, 1857. Excepting the subject of banks and corporations, the draft submitted to the suffrage of the people was chiefly a revision and enlargement of the Constitution adopted in 1846 upon the admission of Iowa to statehood, an instrument that was mainly agreed upon in 1844. The first Constitution was adopted under protest—the majority for it being only 456 out of a total of 18,528 votes. The keen popular desire to secure statehood was probably the chief fact that prevented its rejection. The absolute prohibition of banks of note issue and sundry limitations upon corporate enterprises, then matters of transcendental local interest in the rapid commercial expansion of the ambitious cities and counties of the State, caused immediate and continuously increasing agitation for revision that should strike “the fetters from the limbs of the young giant.” The opposition to the Constitution submitted to the people in 1857 and voted on August 3d was nevertheless decided and vigorous: out of a vote of 78,992 the majority for it was only 1,631. Few of the anticipations of the critics and opponents have been realized, while the predictions of its advocates have been largely fulfilled.

Speaking generally, the Constitution has undergone no material changes in the half century it has been in force. The civil war and national legislation incident to Reconstruction caused in 1868 and in 1880 the extension of the franchise and political privileges. Various amendments affecting elections, judicial districts, grand juries and county attorneys were made in 1884. Biennial instead of annual elections were provided for by amendment in 1904, and at the same time the membership of the House of Representatives was increased so as to give each county at least one representative. Two amendments proposed, viz., the one endorsed by a large popular vote at a special election in June, 1882, providing for the prohibition of the manufacture and sale

as a beverage of "any intoxicating liquors whatever, including ale, wine and beer," and the proposal for biennial elections submitted to the people in 1900, were declared invalid by the Supreme Court on account of serious disregard of mandatory provisions in the Constitution prescribing the method of procedure in the submission of such amendments.

All of the amendments enacted relate to executory or administrative matters, the first two being made necessary by reason of national legislation, and those of 1884 and 1904 being alterations in local administration and the method of conducting elections. In one instance only was a radical change in the policy of the State proposed, viz., in the amendment supposed to have been adopted in 1882 prohibiting the manufacture and use of alcoholic liquors as beverages.

The provisions of Article IX, providing for the establishment of a central Board of Education that should exercise both legislative and executive powers with respect to all of the educational agencies of the State, were eliminated or rendered inoperative by legislative act in 1864, the article itself making the General Assembly competent to abandon the plan authorized. While the act discontinuing the Board was not, strictly speaking, an amendment of the Constitution, it was a quasi amendment that materially modified the administrative machinery of the State government prescribed and provided for in that instrument.

The number and character of the amendments actually adopted indicate very decidedly that notwithstanding the evident doubt and distrust as to the wisdom of ratifying the draft submitted in 1857 as indicated by the narrow majority in its favor, the people have lived contentedly under the provisions of the present Constitution. Another fact enforces this conclusion. By the provisions of Section 3 of Article X, the General Assembly *may at any time* and in the last year of each decennial period *shall* submit to the people the proposition of calling a Constitutional Convention for the purpose of amending and revising the Constitution. Four times, viz., 1870, 1880, 1890, and 1900, the people have voted upon the matter, and on each occasion the re-

turns have shown an adverse public opinion. The result in 1900 was exceedingly interesting and instructive. The first amendment providing for biennial elections was submitted to the people that year—a subject that aroused an ardent discussion pro and con. The simultaneous submission of that amendment and the call for a Constitutional Convention produced not a little confusion in the minds of voters. Friends of the amendment to establish biennial elections in great numbers labored under the notion that it was necessary to vote for a convention in order to insure the success of the electoral reform. The result was that the proposal for calling a convention was negatived by only 555 votes out of a total vote of 353,229. Owing to some errors in the footings of the returns it was first given out unofficially that the call for a convention had carried. When later corrections reversed the majority there was manifest relief throughout the State—as the people seemed to be of the opinion that the returns were the result of confusion and not indicative of a positive demand for serious changes in the constitution of the State.

This acquiescence of the people under their constitution adopted so hesitatingly fifty years ago is strikingly shown if we examine the ratios of votes for and against change and the aggregate thereof compared with the total vote cast by the people in selecting officers for their national or State government at the general election of the same year. In no instance was the vote for an amendment unanimous; in one case it was 85 per cent. of the total vote cast therefor, in another 62 per cent.; in all others the vote for the proposition did not exceed 56 per cent. The adverse votes on all amendments arousing great public interest viz., negro suffrage, prohibition, and biennial elections, have ranged from 44 to 47 per cent. of the total votes. The affirmative votes for a call for a convention was only 23 per cent. in 1870; 45 per cent. in 1880; but 14 per cent. in 1890; and 49 per cent. in 1900. The total votes cast for proposed amendments in no case equaled the aggregate vote cast at the general election of the same year. In 1868 the vote for and against the inclusion of negroes in the electoral franchise

was 186,562 ballots, or 95 per cent. of the votes cast at the general election; the prohibitory amendment received, pro and con, 281,149 votes, or 96 per cent. The proposals for biennial elections induced a vote of 64 and 45 per cent. in the respective years of 1900 and 1904. The total votes cast upon the proposal to call a convention was but 64 per cent. in 1870, only 47 per cent. in 1880 and 1890, and 66 per cent. in 1900.

The total votes in the general election, the votes for and against amendments and calls for conventions and ratios, are summarily presented in the following table.

VOTES ON CONSTITUTIONAL AMENDMENTS PROPOSED AND
CALLS FOR CONVENTION SINCE 1857.

I. CONSTITUTIONAL AMENDMENTS.

Year	General Election	For		Against		Total on Am'ndment	Per Cent. of General	Subject
		Vote	Per Cent.	Vote	Per Cent.			
1868.....	194,730	105,524	56	81,038	44	*186,562	95	Whites
1880.....	322,699	90,237	62	51,943	38	142,180	44	Whites
1882.....	292,398	155,436	55	125,677	45	†281,149	96	Prohibition
1884.....	377,235	89,342	85	14,940	15	*104,182	27	Elec. jud. dist. etc.
1900.....	528,325	186,105	54	155,506	46	341,611	64	Biennial election
1904.....	482,337	198,974	53	176,251	47	375,225	45	Biennial election
1904.....	482,337	171,385	51	165,076	49	336,461	35	Repre'tion H. of R.

II. CALLS FOR CONVENTION.

1870.....	165,823	24,846	23	82,039	77	106,885	64
1880.....	322,709	69,762	45	83,784	55	153,546	47
1890.....	391,353	27,806	14	159,394	86	187,200	47
1900.....	528,325	176,337	49	176,892	51	353,229	66

*The proposition submitted to the people contained amendments to various sections, and here the vote cast for the amendment having the highest affirmative vote is taken.

†Contains thirty-six scattered votes.

The disinclination of the people of Iowa either to amend or to overhaul the provisions of their supreme statute may, of course, indicate a state of mind other than that of contentment or satisfaction. It may signify indifference to or disregard of its injunctions and specifications. The latter supposition, however, would seem to be untenable. Numerous decisions and elaborate opinions of the Supreme Court enjoining injurious actions or invalidating statutes because obnoxious to constitutional guarantees indicate decisively that citizens look upon the Constitution as a certain defense, and

courts scrupulously enforce its mandates. In the recent session of the Thirty-second General Assembly, Governor Cummins refused his signature to a bill because he believed that its enactment would violate the Constitution. So far there has not developed in our political life and practices any custom adverse to its express provisions, such as, e.g., the practice in our national politics of selecting our President by mass conventions and popular elections instead of through and by the Electoral College.

With respect to three articles only has there been much popular discontent; namely, the provisions establishing the Central Board with legislative and executive powers in the control and management of the school system of the State; the requirement (Art. VIII, Sec. 2) that corporations organized for pecuniary profit should be "subject to taxation the same as that of individuals;" and the limitations (Art. XI, Sec. 3) upon the fiscal powers of municipal corporations respecting debts. As to the first mentioned, it was abolished. The second, while vigorously deplored by sundry tax reformers who would radically reform the methods of taxation, has never aroused sufficient opposition to secure the submission of an amendment to popular vote. The limitation imposed upon the debt-making power, although it irritates the city and county authorities thwarted in their patriotic efforts to swell local budgets, at the same time rejoices the heart of the taxpayer.

The success of the present Constitution is due to its essential merits. It prescribes a scheme of government that coincides generally with the popular demand for and the traditions of democratic government in the United States. Further, it meets in the main the requirements that must be fulfilled in order to insure accountability and responsibility and general efficiency under republican or representative institutions. Its provisions were formulated near the close of the period that witnessed the complete overthrow of autocratic and aristocratic tendencies in the control and management of government. The rule of aristocratic leaders, of cliques and coteries that largely prevailed prior to 1830, was by the fierce and long continued onslaughts of the Jacksonian partisans almost universally displaced by democratic meth-

ods of control and procedure. Legislatures were generally restricted in the range of their powers; executives were curbed, their legislative veto in some cases being narrowly limited or denied, their appointive and supervisory powers sharply limited and dissipated by the requirement of popular election of purely administrative officials and short tenure; judges were elected and for short terms. As is usual with political and social agitation the reaction against the manifest evils of the first decades of the century was excessive. It went too far. Constitution makers injected into their State charters many administrative provisions not appropriate. The convention at Iowa City, although ardently democratic, in the sense that its delegates insisted upon the supremacy of the people over all departments of the State government, did not go so far as to eliminate central executive control by denying the Governor the veto or general appointive powers and authoritative supervision.

Iowa's Constitution contains more specifications as to what officers shall be elected and for how long than good constitutional law calls for. But in the large, the convention at Iowa City realized that there are two great functions in government—that of legislation and that of execution. In legislation a democracy should and must control through their representatives in a General Assembly, who express and formulate the wishes or the will of the citizens. In the execution of their will, however, the people attain the economy and efficiency in government they desire by concentrating control in the head of the administration, thereby insuring both accountability and responsibility. F. I. H.

DEDICATION OF THE IOWA MONUMENTS.

The recent visit of the Iowa Monument Commission to southern battle-fields was a trip of historical interest to the State. The government has established national military parks on three of the greatest battle-fields of the west; at Pittsburg Landing, where the battle of Shiloh was fought April 6 and 7, 1862; at Vicksburg, the scene of the mem-

orable siege of May and June, 1863; and at Chattanooga, November 24th and 25th, the same year. At Shiloh and Vicksburg nearly half of all the Iowa troops in the service at those dates were engaged and held everywhere prominent and critical positions.

The itinerary for the several dedications left Des Moines November 12th and returned the morning of the 26th. Vicksburg was first visited, where two days were spent reviewing the old Union and Confederate lines and earthworks, many of them still intact and others restored, inspecting the Iowa brigade and regimental monuments and tablets, and making formal dedication of all of the sites of the imposing and beautiful State memorial. Historical and patriotic reports were made by Chairman J. F. Merry and Secy. H. H. Rood, after which Gov. Cummins gave one of his inimitable addresses, replete in every part with historic and eloquent tributes to the gallant men who had there made glorious American history.

Governor Vardaman of Mississippi was on the platform and on the program to follow. The Iowa people were wondering if he would devote his address to a fervid defense of the Southern Confederacy, as on previous occasions when the Illinois Commission had visited the city, but on this occasion he showed that he could be as courteous to Iowa as Iowa had been to Mississippi. His eloquent and poetic address was in the happiest mood and added much to the enjoyment of the occasion.

Colonel Charles A. Clark of Cedar Rapids, the orator of the day, followed with a masterly oration that was an honor to all Iowa. The Secretary of War had assigned the duty of accepting the monuments on behalf of the government to Gen. Grenville M. Dodge, Iowa's distinguished citizen and general in the civil war, and then away in the dusk of evening Maj. S. H. M. Byers recited two of his eloquent poems, one of them written for the occasion. It had been hoped that many of the old veterans who had survived the terrible ordeal of the siege would on this occasion return for a final look upon the scene. This hope, however, was not realized, so great have been the ravages of time. Compara-

tively few men were found able and willing to undertake the trip. The State should honor itself and these remaining veterans and families as far as practicable by publishing and distributing copies of the final report of the Commission's work to all who would prize the volumes. The next place visited was the Andersonville National Cemetery, established many years ago beside the old Andersonville prison stockade in southern Georgia. It would be impossible to describe the scenes, the proceedings and the emotions of this most pathetic gathering. Every place visited and each address was intensely interesting. When the Governor arose to speak, he was so overcome by the flood of surrounding memories that he stood speechless, until his feelings gave utterance to what seemed to those about him, an address marvelous in its appropriateness and completeness.

Another night's ride brought the train to Atlanta Sunday morning in the rain, and to Chattanooga the next morning again in the rain. Nevertheless the whole party took the Incline to the top of Lookout Mountain, on the summit of which New York has recently erected a \$75,000 monument to "The Blue and the Gray." Clambering down the eight hundred steps, the Lookout Mountain battle-field and Iowa monument were reached. After the invocation, brief addresses were made by Colonel Abernethy, General Weaver, H. A. Chambers, a Confederate veteran, and Governor Cummins. In the afternoon the same party ascended, in carriages, the north end of Missionary Ridge, the scene of General Sherman's fierce assault on the Confederate right, Nov. 25, 1863, where the brief exercises were held around the Iowa monument. Capt. Mahlon Head, Hon. Nate Kendall, Capt. J. P. Smartt of Chattanooga, and Governor Cummins being the speakers.

The third and larger Iowa monument at Rossville Gap was dedicated Tuesday afternoon in the presence of a large audience. The Mayor of Chattanooga gave the welcoming address. The other speakers besides the Governor were Capt. John A. Young, chairman of the Commission, Maj. R. D. Cramer, of the old Thirtieth Iowa, Mr. Caldwell, of Chattanooga, and Gen. E. A. Carmon, of the National Park Com-

mission. Leaving Chattanooga the same night, the party reached Johnsonville, on the Tennessee river, next morning, where boats were taken for Pittsburg Landing. Two days were spent here on the interesting fields of Shiloh, the scene of General Grant's first great battle. One day was given to brief but intensely interesting memorial exercises at the eleven regimental monuments erected where the Iowa men were chiefly engaged.

The forenoon of the final day was given to sightseeing and revisiting the old Shiloh church, the Hornet's Nest, the Bloody Pond, the National Cemetery and other points of interest, and at 1:30 the whole surrounding country came to see and hear the final ceremony in front of the beautiful Iowa Memorial. The venerable Dr. A. L. Frisbie of Des Moines had served by invitation at the various dedications. He offered the invocation here in his beautiful spirit. Then followed an array of as brilliant addresses as ever graced any platform by Colonels Bell and Crosley, Governor Cummins, General Weaver and Speaker Kendall of Iowa, Gen. Basil Duke and Major Asquith of Kentucky and Hon. A. K. Abernethy, ex-Speaker of the Tennessee General Assembly.

This exercise completed the mission of the Governor and the Commissions in dedicating Iowa's Memorials on these historic grounds and transferring them to the final care of the general government. Iowa's work on these fields is of the noblest order throughout, and will for all time honor the State.

A. A.

THORINGTON'S REPLY.

James Thorington was for many years a prominent citizen of Davenport and frequently elected to offices of honor and trust in the city and county. He held many clerkships and was for several years sheriff of Scott county. In the year 1854 he was elected to Congress against Stephen Hempstead of Dubuque, who was then serving his last term as Governor of the State. Thorington was a brilliant campaigner, and

at that time there was much excitement in the public mind in regard to slavery extension. This found in him a sturdy and eloquent opponent. His term began January 6, 1855, and ended January 17, 1857. Mr. Thorington became unusually influential in the House of Representatives, although it was his first and only legislative service. This was out of the usual order, for young members are expected to keep still for a year or two and let older heads do the talking and managing. Hon. James Harlan and Gen. George W. Jones were the United States Senators. It was at that session that the land grants for the four parallel roads across the State of Iowa became laws. The contest was a severe one. Jones and Harlan co-operated freely in the Senate, and Thorington was as earnestly supported in the House by Augustus Hall of Keosauqua. There seems to be little on record in regard to the activity and influence of Mr. Hall, but Thorington won great credit. Senator Harlan declared in a public speech in Davenport, long after Thorington had retired from Congress, that, "of the men who had anything to do with the passage of the Iowa land grant bill, Mr. Thorington was of all others entitled to the credit." He was defeated for renomination by Hon. Timothy Davis of Dubuque, on the plea that the State needed a northern man. Davis bore an excellent reputation, but he also was retired at the end of his first term. He was succeeded by William Vandever of Dubuque. Mr. Thorington certainly deserved a re-election as an endorsement of his active and useful labors.

Thorington was of Protestant Irish descent, keen and quick-witted in repartee. Some time after his retirement from Congress he was appointed U. S. consul at Aspinwall, in the States of Colombia. The law at that time required him to be examined by the Civil Service Commission at Washington. Among the questions propounded to him was this: "How many Hessians did Great Britain send over here to subdue us during the revolution?" This would not seem to have been a very pertinent question, because few men remember figures. Mr. Thorington instantly remarked that he "had never been a good hand to recall figures, but one thing he knew concerning those Hessians, which was that a blank sight

more of them came over here than went back!" The examiner declared this answer sufficient and the supposition is that the remainder of the examination was not severe. He remained at Aspinwall eleven years and while he was there interfered to protect the steamship *Virginus*, which came into the bay of Aspinwall flying the U. S. flag. A Spanish gunboat steamed into the harbor and purposed to capture the *Virginus*, its captain demanding that the protection of the U. S. be withdrawn. This Mr. Thorington refused to do, and he gave the *Virginus* every protection in his power until she was able to steam out of the harbor and go her way. Mr. Thorington's action in this affair was heartily commended by the State Department, and elicited most favorable comment throughout the United States. It made him one of the best known consuls in the service. After he was relieved from duty at Aspinwall in 1882 he returned to Davenport, where he lived in retirement until the time of his death, which occurred in 1887.

Some of the newspapers have stated that the reply concerning the Hessians was made by a certain Missouri member of Congress who has been much before the public during the past few years. If the incident is worth relating, it should be given correctly. The prompt and witty reply was due to James Thorington.

A USEFUL PAPER.

We presume that most readers have seen the statements of writers giving the titles of books and periodicals which have been of most service to them in their life-work. It would be interesting to quote some of these statements if the authorities were convenient. But the purpose of this article is to present certain information for the benefit especially of librarians. The publication which has been of most service to the writer during the last twenty-five years is *The Athenaeum*, a weekly paper published in London, and devoted to literature, science, art, music and the drama. We have no hesitation in recommending it to practical librarians

as the most helpful work with which we are acquainted. It is the organ of the great booksellers and publishers of London, and of some in New York, Boston and Philadelphia, and always contains the latest announcements in the direction of literature. Forthcoming books find a chronicler in *The Athenaeum*. It also makes a record of all book sales by auction, and private sales, when they are of sufficient importance. As a source of general literary information we consider it without a rival in periodical literature. Many a hint which we have derived from its columns has been in a way crystallized in the Historical Department of Iowa, and the end of its usefulness is not yet. For the benefit of people who would satisfy themselves in regard to its merits, we would say that the Iowa State Library has a complete set of this periodical from the first issue, January 1, 1828, until the present time. It has not changed its form nor the style of its type. It started as the same substantial weekly which appears to-day. The binding of the set in the State Library is not uniform, but is very excellent, a large portion of it being full calf. If we were managing one of the younger libraries of the State which have sprung into existence during the past ten years, there is no publication that we would consider of as much practical utility as the weekly visits of this excellent journal. By a curious state of things, it seems to have been kept in one family during most of the period of its existence. It is now edited by a son of one of the founders, who has also published an elaborate life of his father. Its reviews, while not as extended as those in some of the great monthlies or quarterlies, are very terse, vigorous and comprehensive. It has no mercy upon any man who issues a book of historical importance without an index, and its severe criticisms in this direction should be read and heeded in this country. Its work in the direction of natural science is of the utmost value, as also are its criticisms upon art, music and the drama. We recommend it to all librarians without limitations upon our idea of its excellence and usefulness, as well as to others who would keep in touch with the best information of the day in any of the directions we have enumerated.

NOTABLE DEATHS.

FRANK T. CAMPBELL was born in Ohio, May 8, 1836; he died in Lima, Ohio, March 6, 1907. On the completion of his education at the age of twenty years, he came to Iowa and settled at Newton, Jasper county, where he soon after engaged with his brother, A. K. Campbell, in the publication of *The Newton Journal*. He was active in promoting enlistments in the Union army during the civil war and served a short time as captain of Company B, 40th Iowa Infantry. He was elected in 1873 for the regular term of four years to the State Senate. The question of regulating the tariffs for freight charges by railroads was just then coming into serious agitation. In this legislation he took a prominent part during the ensuing eight years, as he was returned to the Senate for a second term. He is understood to have been the author of the famous "Granger Law." In 1877 the Republicans nominated him for Lieutenant-Governor. He was duly elected with Gov. John H. Gear, and re-elected two years later. He became an efficient and decidedly popular presiding officer. He served in this capacity during the sessions of 1878 and 1880. Governor William Larrabee in 1888 appointed him Railroad Commissioner for the term of three years. In 1889 the Legislature having provided for the election of Railroad Commissioners by the people, Mr. Campbell was elected to serve three years from January, 1889. At the end of this term he was defeated at the polls and retired to private life. After he left the office of Railroad Commissioner he entered into mercantile business in Des Moines, but some two years ago removed to Lima, Ohio, where he and his son, Bert, published a daily newspaper. This enterprise was understood by his friends to have become fairly prosperous until failing health compelled his retirement. In each of the varied positions he had occupied Mr. Campbell had not only shown that he possessed marked ability and high courage, but that he was thoroughly devoted to what he deemed the best interests of the people and the State. The Senate has not had a better presiding officer. No situation arose in that body during the period of his service to which he was not equal. He was well versed in the laws and rules which govern deliberative bodies, cool and collected, clear in his decisions and actuated by a spirit of candor and honesty. Those who had won his confidence ever found him an abiding friend. It is a loss to the State when that type of man is driven by the exigencies of politics into private life.

JOHN D. HUNTER was born in Knoxville, Ohio, August 12, 1834; he died in Webster City, Iowa, March 19, 1907. The record says that between the ages of nine and fourteen years he was a student in the public schools near his home about half of each year. When his education in the school-room was completed he attended the Ashland Academy a year. About this time his father removed to Bryan, Williams county, on the western boundary of the Maumee valley, a region which was known as "the Black Swamp country." He there entered the printing-office of his father and devoted himself to learning the trade, acquiring a practical knowledge of the newspaper business in all its departments. When he reached the age of twenty he entered into the publication of *The Hoosier Banner*, at Angola, Steuben county, Ind. He continued this enterprise about a year, when from its failure to be remunerative, he discontinued the paper. He returned to Ohio and was employed for a time in different printing-offices. In the summer



F. D. Campbell

PIONEER JOURNALIST, STATE SENATOR, RAILROAD COMMISSIONER.

of 1856 he removed to Iowa, crossing the Mississippi river at Davenport on the 8th of October. For two months he was employed on *The Marion Register*, of which paper N. M. Hubbard, then a young lawyer, was editor. In December of the same year he arrived in Eldora and began work on *The Hardin County Sentinel*, whose editor was Hon. J. D. Thompson, afterwards judge of the District Court. The following winter he spent in Ohio and then returned permanently to Iowa. He purchased first a half interest in *The Sentinel*, later became sole proprietor, continuing the publication until 1863. In 1861 he was appointed postmaster of Eldora by President Lincoln. In the fall of 1862 he was elected treasurer and recorder of Hardin county, but resigned to accept a position in the military service. After the war he, for a time, engaged in the grocery business in Iowa Falls. In 1866 he purchased *The Hamilton Freeman* in Webster City, which place had since been his home. He served in the Iowa House of Representatives during the 12th and 13th General Assemblies. In 1872 he was appointed a member of the Board of Trustees of the Iowa Reform School. In 1873 he was appointed by President Grant postmaster at Webster City, and held the office until he was removed by President Cleveland in 1885. Though one of the quietest and most undemonstrative members of the Iowa House of Representatives, yet, as a legislator, Mr. Hunter was a distinguished success. He made a record which met with the earnest approval of his constituents and to which his posterity may always point with pride. It is certain that he took the first step looking to the organization of the present Board of Control, which is now in charge of our charitable and penal institutions, and which will doubtless be the forerunner of the control which will one of these days be exercised over the educational institutions. This matter is fully set forth in Vol. V, p. 391 of this publication, to which the reader is respectfully referred. Through the columns of his paper he was always ready to advance to the best of his ability the interests of his city and county, and of the political party with which he was affiliated throughout his life. His paper was a clean and well-edited sheet, and had achieved an enviable reputation throughout the State. He was in all respects a useful citizen, an abiding friend, where his friendship was bestowed, and an upright, Christian gentleman. He left his mark especially upon the history of that section of the State, where it will long remain.

RT. REV. HENRY COSGROVE, Bishop of the Diocese of Davenport, was born in Williamsport, Pa., Dec. 19, 1833; he died in Davenport, Iowa, Dec. 22, 1906. His father, John Cosgrove, was a native of Ireland, and migrated to this country with his family in 1830. In 1845 the family removed to Dubuque, Iowa, where the son received his early education. It is stated that he was one of the acolytes or altar boys with Bishop Loras, who was at that time at the head of the diocese, and that he was early inclined toward the priesthood. He began a course of study which was to fit him for holy orders under the tutelage of Rev. Joseph Cretin, Vice-General of the Diocese of Dubuque, and at a later day, Bishop of St. Paul, Minn. After a course of study under Father Cretin, he went to St. Mary's Seminary in Missouri, where he completed a three years' classical course, and then entered the noted seminary at Carondelet, in the same State, where he took a full course in theology. Returning to Dubuque, after graduating, he was ordained priest by Bishop Smythe, who had been coadjutor of Bishop Loras, on the 27th day of August, 1857. Shortly after this he became the assistant pastor of St. Marguerite's at Davenport. The

pastor of the church, Rev. A. Trevis, asked and obtained a long leave of absence to visit Europe, and Father Cosgrove remained in charge of the church. Several years later he succeeded to the full pastorate, which he held for the next twenty-five years. Bishop McMullen, who was Bishop of Davenport prior to the elevation of Father Cosgrove, died after two or three years' service in that capacity. The priests of the diocese then almost unanimously petitioned Leo XIII. to appoint Father Cosgrove in his stead. This petition was granted and Father Cosgrove became the bishop of that diocese, in which position he remained until his death, as given above. In the course of an appreciative biographical sketch of Bishop Cosgrove, which extends to several columns, *The Davenport Democrat* gives the following as among his other labors: He entered upon the pastorate of St. Marguerite's church, November, 1861, enlarging the edifice and rededicating it on the 9th of December, 1866. He completed the school building for St. Marguerite's parish in 1871. He was an important factor in the organization of the Roman Catholic Mutual Protective Association in Dubuque in 1879. He celebrated his silver jubilee August 28, 1882, and took the necessary steps to found St. Ambrose College in September, 1882. He was appointed Vicar-General of the Diocese of Davenport in July, 1881, and became the Administrator of the Diocese on the death of Bishop McMullen, July 4, 1883. He was appointed Bishop of the Diocese and consecrated Sept. 14, 1884. He laid the cornerstone of the Sacred Heart Cathedral, April 27, 1890, which he dedicated on the 15th of November, 1891. He established St. Vincent's Orphanage, April 9, 1895. The present Bishop, Rt. Rev. James Davis, was appointed his coadjutor and consecrated Nov. 13, 1904. Bishop Cosgrove was one of the most useful men of his church who has resided within this State during the past fifty years. He erected many churches, founded many schools, and in all legitimate ways promoted the interests of the Catholic church. Not only was he beloved by his own people, but he was exceedingly popular with the Protestants as well.

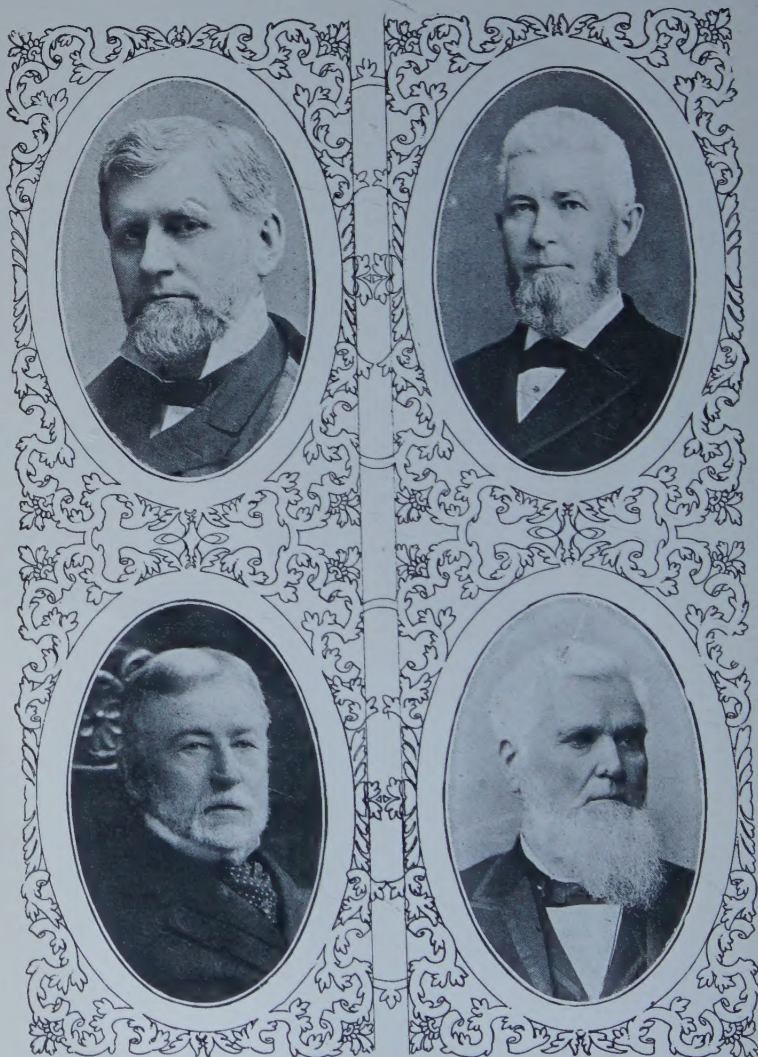
ROLLIN C. HUBBARD was born in Ogden, Mich., June 26, 1842; he died in Des Moines, March 16, 1907. When the war broke out he was attending college in Adrian, Mich. He at once enlisted and served throughout the war, first in Co. D, 2d Michigan Infantry, later in Co. A, 116th New York. He was promoted to Sergeant, and discharged to accept a commission as Captain in the 18th Infantry (colored). He was in many engagements and suffered thrilling experiences in both Libby and Andersonville prisons. After the war he lived for a time in Buffalo, N. Y., then removed to Council Bluffs, where he was connected with *The Nonpareil*. In 1892 he removed to Des Moines to take the position of postmaster at the State House, which position he held at the time of his death. Mr. Hubbard was in all respects a Christian gentleman. He won and retained to the last day of his life the thorough respect of all who knew him. Upon the occasion of his funeral the Legislature adjourned in order that members might attend. This was a tribute never before paid to any one of his grade of employment about the State House. It was a tribute as rare as it was spontaneous and generous. He had met to the utmost of his ability every requirement as a citizen, soldier and public official, and in a manner so genial and kindly that every person who knew him became his friend.



SOME OF IOWA'S DELEGATES.

WILLIAM B. ALLISON,
U. S. SENATOR.

JAMES F. WILSON,
U. S. SENATOR.



JOHN A. KASSON,
U. S. DIPLOMAT.

ALVIN SAUNDERS,
U. S. SENATOR.

CHICAGO CONVENTION, MAY 16-18, 1860.